XXX/X
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Thomas Michael Loome

IMPARTIAL DETAIL

OF THE

PROCEEDINGS AND DEBATES

IN BOTH HOUSES OF THE

IMPERIAL PARLIAMENT

OF THE

UNITED KINGDOM,

IN THE SESSION OF 1805,

UPON THE

CATHOLIC PETITION.

To which are added, by way of Appendix,

THE QUERIES SUBMITTED TO, AND THE ANSWERS RECEIVED FROM, THE FACULTIES OF DIVINITY IN THE CATHOLIC UNIVERSITIES OF PARIS, DOUAY, LOUVAIN, ALCALA, VALLADOLID, AND SALAMANCA, IN 1789, TOUCHING THE DOCTRINES IMPUTED TO CATHOLICS, RESPECTING THE KEEPING OF FAITH WITH HERETICS, AND THE POWER OF THE POPE TO ABSOLVE THEM FROM ALLEGIANCE TO PROTESTANT PRINCES.

LONDON:

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1805.

INTRODUCTION.

UPON a question admitted on all hands to be of vital importance to the British Empire, it must be gratifying to every man feeling interest or anxiety for the happiness and prosperity of that empire, to possess a faithful record of all those arguments and opinions which the collective wisdom and eloquence of both Houses of the Imperial Parliament have been able to suggest upon this great subject, the first time it has come before them for discussion. Perhaps no question ever agitated within the walls of Parliament has excited so much debate, or so much interested the public solicitude. The publishers of this work have been peculiarly exertive to lay before their readers a faithful detail of the several speeches *actually delivered* on this occasion; and though they have to regret the impossibility of detailing at full length the speeches of *a very few* members, to whom still they wish to pay every respect, yet they can truly assert, that no opinion has been intentionally misrepresented, nor an argument of any weight omitted, that could bear upon the question.

The Imperial Parliament, after a full hearing of all sides, have come to their *first*, it would be too presumptuous to say their *final*,

decision upon this subject; for though the Catholics have failed now of success, yet some even of their zealous opponents have admitted, that a time and circumstances *may* arise, when their claims may be admissible, and their success less objectionable to a Protestant Legislature and their Protestant Fellow-subjects. The Catholics have, however, derived this great advantage from the discussion—their civil and religious character has been brought to fair trial before the Grand Inquest of the Nation. Many of the odious imputations against them have been openly brought forward by their accusers, and as fully disproved, upon the testimony not only of their advocates, but of many of their most able and strenuous opponents. The whole evidence is now laid before the British Nation; and His Majesty's Protestant subjects, at the same time that they will look up with veneration and gratitude to the Imperial Parliament for that vigilance and tenacity so eminently manifested towards their peculiar privileges, must also henceforward be taught to view their Catholic Fellow-subjects in a light very different indeed from that odious aspect in which they must have stood, under misimputed tenets and alleged principles subversive of every idea of religion and social order, and which must now stand solemnly abjured and disproved for ever. That deference to the opinions, and tenderness toward even the prejudices, of the Protestant people of England, in great matters of legislation, avowed in the course of the discussion by many of the Members

of both Houses, while they reflect the highest honour upon the characters and principles of British senators, will, it is presumed, strongly operate to the vindication of certain of those senators who have been long supposed to entertain quite opposite sentiments. But however unripe this great measure may be now for adoption; whatever be the measure of deference due to the opinions, the prejudices, or the jealousies of any particular class of His Majesty's subjects, on this ground; and however highly we are bound to venerate the maxim, *Nolumus leges Angliæ mutari;* yet surely it will be allowed, by all who view the new situation in which the British Empire now stands, however averse they may be to such a measure at *this* moment, that the arrival of that time, and those circumstances under which it may be thought wise, safe, and expedient to unite in common feelings, interests, and privileges, every class of His Majesty's natural-born subjects,

"Is a consummation most devoutly to be wished."

COMPREHENSIVE DETAIL

OF THE

INTERESTING DEBATES,

IN BOTH HOUSES

OF THE

IMPERIAL PARLIAMENT,

IN THE SESSION OF 1805,

UPON THE

CATHOLIC QUESTION.

HOUSE OF LORDS.

MONDAY, MARCH 25.

LORD GRENVILLE.—"My Lords, I rise for the purpose of presenting the Petition of certain of his Majesty's subjects in Ireland, professing the Catholic Religion, which I move may now be read."

The Petition was then read by the clerk as follows:—

"*To the Right Honourable and Honourable the* KNIGHTS, CITIZENS, *and* BURGESSES, *of the* UNITED KINGDOM *of* GREAT BRITAIN *and* IRELAND, *in Parliament assembled,*

"*The humble Petition of the Roman Catholics of Ireland, whose Names are hereunto subscribed, on Behalf of themselves and of others his Majesty's Subjects, professing the Roman Catholic Religion,*

"SHEWETH,

"THAT your Petitioners are stedfastly attached to the Person, Family and Government, of their most gracious Sovereign; that they are impressed with

 sentiments

sentiments of affectionate gratitude for the benignant laws which have been enacted for meliorating their condition during his paternal reign, and that they contemplate, with rational and decided predilection, the admirable principles of the British Constitution.

" Your Petitioners most humbly state, that they have, solemnly and publicly, taken the oaths by law prescribed to his Majesty's Roman Catholic Subjects, as tests of political and moral principles; and they confidently appeal to the sufferings which they have long endured, and the sacrifices which they still make, rather than violate their consciences (by taking oaths of a religious or spiritual import contrary to their belief,) as decisive proofs of their profound and scrupulous reverence for the sacred obligation of an oath.

" Your Petitioners beg leave to represent, that by those awful tests they bind themselves, in the presence of the All-seeing Deity, whom all classes of Christians adore, " to be faithful, and bear true allegiance to their most gracious Sovereign Lord King George the Third, and him to defend to the utmost of their power against all conspiracies and attempts whatsoever that shall be made against his Person, Crown or Dignity; to do their utmost endeavours to disclose and make known to his Majesty and his Heirs, all treasons," and traitorous conspiracies which may be formed against him or them, and faithfully to maintain, support, and defend, to the utmost of their power, the succession to the Crown in his Majesty's family, against any person or persons whatsoever."—" That, by those oaths, they renounce and abjure obedience and allegiance unto any other person claiming or pretending a right to the Crown of this realm:—that they reject and detest, as unchristian and impious to believe, that it is lawful in any ways to injure any person or persons whatsoever under pretence of their being Heretics; and also that unchristian and impious principle, that

that no faith is to be kept with Heretics; that it is no article of their faith, and that they renounce, reject, and abjure the opinion, that Princes, excommunicated by the Pope and Council, or by any authority whatsoever, may be deposed or murdered by their Subjects, or by any person whatsoever; that they do not believe that the Pope of Rome, or any other foreign Prince, Prelate, State or Potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence within this Realm; that they firmly believe, that no Act, in itself unjust, immoral or wicked, can ever be justified or excused by, or under pretence or colour, that it was done for the good of the Church, or in obedience to any Ecclesiastical Power whatsoever; and that it is not an article of the Catholic Faith, neither are they thereby required to believe or profess, that the Pope is infallible, or that they are bound to obey any order, in its own nature immoral, though the Pope or any Ecclesiastical Power should issue or direct any such order; but, that on the contrary, they hold, that it would be sinful in them to pay any respect or obedience thereto: that they do not believe, that any sin whatsoever, committed by them, can be forgiven at the mere will of any Pope or of any Priest, or of any person or persons whatsoever, but that any person who receives absolution for the same, without a sincere sorrow for such sin, and a firm and sincere resolution to avoid future guilt, and to atone to God, so far from obtaining thereby any remission of his sin, incurs the additional guilt of violating a Sacrament; and," by the same solemn obligation, "they are bound and firmly pledged to defend, to the utmost of their power, the settlement and arrangement of property in their country, as established by the laws now in being; that they have disclaimed, disavowed. and solemnly abjured any intention to subvert the present Church Establishment, for the purpose of substituting a Catholic Establishment in its stead;" and that they have also solemnly sworn.

" that they will not exercise any privilege, to which they are, or may become entitled, to disturb or weaken the Protestant Religion or Protestant Government of Ireland.

" Your Petitioners most humbly beg leave to shew, that however painful it is to their feelings, that it should still be thought necessary to exact such tests from them, (and from them alone of all his Majesty's subjects) they can with perfect truth affirm, that the political and moral principles which are thereby asserted, are not only conformable to their opinions and habits, but expressly inculcated by the religion which they profess; and your Petitioners most humbly trust, that the religious doctrines, which permit such tests to be taken, will be pronounced by this Hon. House to be entitled to a Toleration, not merely partial but complete, under the happy Constitution and Government of this Realm; and that his Majesty's Roman Catholic subjects, holding those principles, will be considered as subjects, upon whose fidelity the State may repose the firmest reliance.

" Your Petitioners further most humbly shew, that twenty-six years have now elapsed, since their most gracious Sovereign and the Hon. Houses of Parliament in Ireland, by their public and deliberate Act, declared, that " from the uniform peaceable behaviour of the Roman Catholics of Ireland, for a long series of years, it appeared reasonable and expedient to relax the disabilities and incapacities under which they laboured, and that it must tend not only to the cultivation and improvement of this kingdom, but to the prosperity and strength of all his Majesty's dominions, that his Majesty's subjects of all denominations should enjoy the blessings of a free constitution, and should be bound to each other by mutual interest and mutual affection; a declaration founded upon unerring principles of justice and sound policy, which still remains to be carried into full effect (although your Petitioners are impressed

impressed with a belief, that the apprehensions, which retarded its beneficial operation previous to the Union, cannot exist in the Parliament of the United Kingdom.

"For your Petitioners most humbly shew, that, by virtue of divers statutes now in force, his Majesty's Roman Catholic subjects, who form so great a proportion of the population of Ireland, and contribute so largely to the resources of the State, do yet labour under many incapacities, restraints, and privations, which affect them with peculiar severity in almost every station of life; that, more especially, they are denied the capacity of sitting or voting in either of the Honourable Houses of Parliament; the manifold evils consequent upon which incapacity they trust it is unnecessary to unfold and enumerate to this Honourable House.

"They are disabled from holding or exercising (unless by a special dispensation) any corporate office whatsoever in the cities or towns in which they reside; they are incapacitated and disqualified from holding or exercising the offices of Sheriffs and Subsheriffs, and various offices of trust, honour, and emolument in the State, in his Majesty's military and naval service, and in the administration of the laws, in this their native land.

"Your Petitioners, declining to enter into the painful detail of the many incapacities and inconveniences avowedly inflicted, by those statutes, upon his Majesty's Roman Catholic Subjects, beg leave, however, most earnestly to solicit the attention of this Honourable House to the humiliating and ignominious system of exclusion, reproach and suspicion, which those statutes generate and keep alive.

"For your Petitioners most humbly shew, that in consequence of the hostile spirit thereby sanctioned, their hopes of enjoying even the privileges, which, through the benignity of their most gracious Sovereign, they have been capacitated to enjoy, are nearly altogether frustrated, insomuch that they are,

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in effect, shut out from almost all the honours, dignities, and offices of trust and emolument in the State, from rank and distinction in his Majesty's Army and Navy, and even from the lowest situations and franchises in the several cities and corporate towns throughout his Majesty's dominions.

And your Petitioners severely feel, that this unqualified interdiction of those of their communion from all municipal stations, from the franchises of all guilds and corporations, and from the patronage and benefits annexed to those situations, is not an evil terminating in itself; for they beg leave to state, that, by giving an advantage over those of their communion to others, by whom such situations are exclusively possessed, it establishes a species of qualified monopoly, universally operating in their disfavour, contrary to the spirit, and highly detrimental to the freedom of trade.

"Your Petitioners likewise severely feel, that his Majesty's Roman Catholic Subjects, in consequence of their exclusion from the Offices of Sheriffs and Sub-sheriffs, and of the hostile spirit of those statutes, do not fully enjoy certain other inestimable privileges of the British Constitution, which the law has most jealously maintained and secured to their fellow-subjects.

"Your Petitioners most humbly beg leave to solicit the attention of this Honourable House to the distinction, which has conceded the elective, and denies the representative franchise to one and the same class of His Majesty's subjects, which detaches from property its proportion of political power under a Constitution, whose vital principal is the union of the one with the other—which closes every avenue of legalized ambition, against those who must be presumed to have great credit and influence among the mass of the population of the Country, which refuses to Peers of the Realm all share in the Legislative Representation, either actual or virtual, and renders the liberal profession of the Law to Roman

Roman Catholics, a mere object of pecuniary traffic, despoiled of its hopes and of its honours.

"Your Petitioners further most humbly shew that the exclusion of so numerous and efficient a portion of his Majesty's subjects, as the Roman Catholics of this Realm, from civil honours and offices, and from advancement in his Majesty's Army and Navy, actually impairs, in a very material degree, the most valuable resources of the British Empire, by impeding his Majesty's general service, stifling the most honourable and powerful incentives to civil and military merit, and unnecessarily restricting the exercise of that bright prerogative of the Crown which encourages good subjects to promote the public welfare, and excites them to meritorious actions, by a well regulated distribution of public honours and rewards.

"Your Petitioners beg leave most humbly to submit that those manifold incapacities, restraints, and privations are absolutely repugnant to the liberal and comprehensive principles recognized by their most gracious Sovereign and the Parliament of Ireland; that they are impolitic restraints upon his Majesty's royal prerogative; that they are hurtful and vexatious to the feelings of a loyal and generous people, and that the total abolition of them will be found not only compatible with, but highly conducive to, the perfect security of every establishment, religious or political, now existing in this realm.

"For your Petitioners most explicitly declare, that they do not seek or wish, in the remotest degree, to injure or encroach upon "the rights, privileges, immunities, possessions, or revenues appertaining to the Bishops and Clergy of the Protestant Religion, as by law established, or to the Churches committed to their charge, or to any of them." The sole object of your Petitioners being an equal participation, upon equal terms with their fellow-subjects, of the full benefits of the British Laws and Constitution.

"Your

" Your Petitioners beg leave most humbly to observe, that, although they might well and justly insist upon the firm and unabated loyalty of his Majesty's Roman Catholic subjects to their most gracious Sovereign, their profound respect for the Legislature, and their dutiful submission to the laws, yet they most especially rest their humble claims and expectations of relief upon the clear and manifest conduciveness of the measure which they solicit, to the general and permanent tranquillity, strength, and happiness of the British empire. And your Petitioners, entertaining no doubt of its final accomplishment, from its evident justice and utility, do most solemnly assure this Honourable House, that their earnest solicitude for it, at this peculiar crisis, arises principally from their anxions desire to extinguish all motives to disunion, and all means of exciting discontent.

" For your Petitioners humbly state it as their decided opinion, that the enemies of the British empire, who meditate the subjugation of Ireland, have no hope of success, save in the disunion of its inhabitants; and therefore it is, that your Petitioners are deeply anxious, at this moment, that a measure should be accomplished, which will annihilate the principle of religious animosity, and animate all descriptions of his Majesty's subjects in an enthusiastic defence of the best Constitution that has ever yet been established.

" Your Petitioners, therefore, most humbly presume to express their earnest, but respectful hope, that this Honourable House will, in its wisdom and liberality, deem the several statutes, now in force against them, no longer necessary to be retained, and that his Majesty's loyal and dutiful Subjects professing the Roman Catholic Religion, may be effectually relieved from the operation of those statutes, and that they so may be restored to the full enjoyment of the benefits of the British Constitution, equally and

and in common with their fellow-subjects throughout the British Empire.

" And your Petitioners will ever pray, &c.

SHREWSBURY, WATERFORD, and WEXFORD,

FINGALL,	ROBERT PLUNKETT,
KENMARE,	THOMAS BARNEWALL,
GORMANSTOWN,	THOMAS FRENCH, Bart.
SOUTHWELL,	EDWARD BELLEW, Bart.
TRIMLESTOWN,	FRANCIS GOOLD, Bart.

with a vast number of other respectable names.

Lord GRENVILLE said, that it was not his intention to offer any observations to their Lordships upon the Petition which had been just read. He had apprised them before that he would give timely notice when he should bring forward the subject for discussion; at present he would confine himself to moving, that it may lay upon the table.

Lord AUCKLAND thought it necessary to trouble their Lordships with a few words. He had no means of knowing the tenor of the Petition which had been presented on the part of the Irish Catholics, until he heard it read in that House: but it seemed to him to put forward a claim for the full participation of all the privileges of the Constitution. Whether the period for preferring this Petition was well chosen or not, it was not then necessary to discuss; but he hoped that now that it had been preferred, it would be discussed fully and radically, and with the least possible delay. It was essential to come to as speedy a determination as possible, upon a point which appeared to him pregnant with this inconsistency, that if it were carried, we should have a Protestant King and a Protestant Establishment, with Catholic Legislators. There was nothing in the signs of the times to induce them to be forward in beating down the barriers and fortifications of the Constitution in Church and State; he would say Church and State, for he could not sever those two ideas. He repeated his wish for a full, a dispassionate, and,

above all, a speedy discussion of the measure, if any thing more was meant than that the Petition should lay on the table.

Lord GRENVILLE would not follow the example of the Noble Baron in making any observations upon the Petition which he had presented. When the day should arrive for discussing it, of which their Lordships should be duly apprized, he would endeavour to enter upon the subject in that full and dispassionate manner which the Noble Baron so earnestly recommended.

Lord HAWKESBURY had ever considered the right of petitioning as one of the most valuable privileges of the people. It was the duty of that House to receive all petitions, the prayer of which was within their jurisdiction, and in the terms of preferring which there was nothing improper or indecorous. As there was nothing in the Petition which it was not in their Lordships' power to grant, and as the terms in which it was conveyed appeared to him to be respectful, he would not oppose the motion that it should lay upon their Lordships' table; but if it was intended at a future day to found any proceeding on it, he for one would think it to be his duty, for the reasons he would then state, to resist it.

Lord GRENVILLE declared, in answer to the hypothetical observation of the Noble Secretary of State, that it certainly was his intention to bring forward, at a convenient period, a motion on the subject of the Petition he had presented.

The question was then put, that the Petition do lay on the table, and assented to.

The Duke of NORFOLK thought it would be proper that a Petition, on so momentous a subject, of such length, and containing so many important assertions, should be printed for the use of their Lordships, if the standing order of the House did not prohibit it. He would therefore move that it be printed.

The LORD CHANCELLOR was not aware that there was any standing order against printing a Petition

tition, although it was not the usage of the House. The importance of the subject would no doubt induce their Lordships to come down and read it at the House; and therefore he did not think it necessary to depart from the established practice. The motion for printing was negatived.

FRIDAY, MAY 10.

Lord GRENVILLE moved the order of the day for taking into consideration the Petition of the Catholics, which being read,

Lord GRENVILLE rose, and addressed the House to the following effect:—

"I rise, my Lords, with great satisfaction, to address your Lordships, after the very moderate and respectful Petition which has been just read. I am happy to recollect that when I gave notice of this discussion on a former day, an opinion was expressed by Noble Lords, that this great subject ought to meet with a fair, full, and impartial discussion. The persons who have signed this Petition, have done every thing in their power to entitle them to such a discussion in this House. They address a body whom no local prejudices can be supposed to affect in the consideration of their claims, and with whom party violence cannot be supposed to have any weight in deliberating on so important a subject. I will say for myself, that I am wholly incapable of the folly or wickedness of introducing, or of supporting in this House, for party purposes, any measure that is so materially and essentially connected with the prosperity, peace, and unity of the Empire. I might appeal to all your Lordships, whether, if this were a question likely to conduce to views of such a nature, and if the individual who addresses you had such an object, his conduct would not have been precisely the reverse of that which he has, in the course of this business, found it proper to adopt. I am well aware, that in such a question, I must make up my mind to encounter much personal opposition,

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and many aspersions: no common degree of clamour and misrepresentation, with many ill-founded suspicions respecting my own sentiments in general. All this I must expect to meet; and in return for what must be felt on this head, I must console myself with the gratification of having endeavoured to discharge a great public duty. Whatever may happen, I shall not have to reproach myself with the evils that might result from the suppression of this Petition, the mischiefs arising from which must be infinitely greater than any that can arise, had no opportunity been thus publicly given to examine and discuss the merits of the Petition now before your Lordships. I am confident, my Lords, that the subject will be fairly and justly considered in this House; and that if not now, yet that the day is not very far distant when its prayer will be granted. What would have been the case had it been in the power of the Roman Catholics in Ireland to say, 'There is not one person whom we can find to present our prayer to the attention of the United Parliament; the Legislature has shut its doors against us?' What must have been the impression made upon them, but feelings of absolute despair? How contrary, my Lords, to all the views we were led to expect from the event of the Union, which held out the prospect of an impartial and unbiassed Parliament, freed from all peculiar prejudices, and ready and desirous to consider the wishes of a numerous, considerable, and respectable class of our fellow-subjects! Whether the Petition be complied with or not, surely it demands our most particular and impartial consideration.

"This being the case, my Lords, how shall I begin the discussion of this subject, and lay before you the grounds on which I humbly think the claims of the Catholics of Ireland are worthy to be granted? I shall begin by stating, as the foundation of the policy of this measure, though it is a fact that seems scarcely ever to enter into the consideration of those who

who are decidedly averse to it, that in this United Kingdom you have a population of from three to 5,000,000 of fellow-subjects, who have been educated in the Roman Catholic Religion, who profess that faith, and are firmly attached to it, and whom you must consider, for every purpose of Government and Legislation, as persons to be treated as Roman Catholics. In Ireland, it must be recollected, that three-fourths of the population of that country are composed of persons of that persuasion, and that it is therefore impossible, in attempting to provide for the Government of Ireland, or for the happiness of its inhabitants, without adverting constantly to this fact, and giving it that leading consideration which it must always deserve. We are to consider this state of the fact, as it has been since the period of the Reformation, as it is at the present moment, and as it is likely to be, beyond any time to which we can rationally look. It is impossible for any wise man to shut his eyes upon the fact, that three-fourths of the people of Ireland are of the Roman Catholic faith, and say, 'I will provide only for those who profess the Established Religion, and leave all the rest out of my consideration.' I hope no man will be found to maintain such a proposition. If any person should entertain such an opinion, let his eye turn back to the time of the Reformation, and point out, if he can, at what period, since that event, he will not find the state of religion in Ireland to be nearly the same. And how can he look forward to any means of governing that country, without that feature which has been so strongly marked for more than two centuries? I will not detain and trouble your Lordships with long, tedious, and wearisome details of Catholic history. At the Revolution the Catholics were viewed as connected with those political sentiments which were adverse to the Revolution. It was not so much against the religion of the Catholics that our efforts were then directed, as against those politics then entertained

in the middle classes of society, and it is no small consolation to know, that you have raised up a middle class of society in that country, a class that, till lately, hardly existed there. As they rose in wealth, they naturally increased in attachment to the country, and in that importance which you professed to wish. At last you extended all those British privileges, except those now solicited. You gave them eligibility to offices, with a few exceptions. Here then a stand was made for a time. Not because it was right to say, 'Here we will take our stand and go no farther,' for the system of concession was gradual, and the mode and terms of the concessions never implied that nothing more should ever be granted. It was necessary so to grant, as to make the concessions compatible with that harmony which was desirable on all hands in the case of such large concessions, which were made without unseemly hesitation and grudging, and in a manner tending to conciliate those to whom the boon was given. There were considerations of great weight, which rendered it doubtful whether we could give all that might be wanted in the Irish Parliament, without something, perhaps, very like a convulsion in the country. The popular part of the Irish Legislature, did not rise by accident, as in this country, till it became a representation of the various interests of the nation; but a large part of it was expressly framed for the purpose of making the Legislature entirely Protestant, and of excluding three-fourths of the country. Many reasons, indeed, appeared, against endeavouring to adopt this measure in the Irish Parliament; but these reasons, I am happy to say, are now entirely done away, by the salutary operation of the wise arrangement for the distribution of the Representatives of Ireland in the United Parliament: and it should be remembered, that in proportion as you give additional influence to the Catholics of Ireland now, you give the same to the great body of Protestants throughout the Empire.

pire. The Union not only removed these difficulties; but it did more which your Lordships, I am sure, will bear in mind; it excited ardent hopes in the minds of the Irish Catholics. On this subject I speak from a knowledge of the facts. There was no positive obligation nor authorised promise, on the part of Government, in the event of the Union, to the Catholics; but it is no less true, that the whole of the argument and reasoning of those who supported that measure, in and out of doors, went to prove, that this important subject would be better considered here than in the Irish Parliament. And one great consideration in favour of the Union was the prospect it held out of a mode of destroying those religious animosities, and that party-spirit, which had been the cause of so many great calamities. It was from the nature of the subject itself that the Irish Catholics were justified in their expectations of this measure: at least this assurance was given them that the United Parliament would undoubtedly receive their petition, and attentively consider the whole circumstances of their case. It is this pledge, my Lords, that I now call upon you to redeem. I do not mean at present to propose any particular measure, though I shall not refrain from stating what I think ought in policy and justice to be done: but I ask of your Lordships, in candour and fairness, to hear them with patience, and to remember, that the diffusion of equal rights and equal privileges, under the same Constitution, is the most effectual mode of securing equal affection and equal attachment to the Government and the country. The motion I shall submit is, that this House do resolve itself into a Committee to consider the Petition, which I think cannot be opposed, unless by those who are willing to give a full negative to the whole of the matter under consideration. I must say, that with respect to the different parts of the Petition, I think it is highly expedient to grant the whole, if you mean to discharge that duty

which the Union has imposed upon you, and to provide for the real and essential Union of all the inhabitants of this kingdom, in bonds of affection and loyalty, and a resolution to defend the King and Constitutional interests of the country, against all enemies, external and internal.

" This question is in a certain degree to be placed on the ground of expediency, and not of right. When the safety of the whole requires it, it is in the privilege of the whole to provide disabilities. But the question is, whether there is any necessity for the continuance of those restraints on four or five millions of the King's subjects, from the benefits of the Constitution of the country? I might only state, that on the eternal principles of justice, if there be any such necessity apparent, those who would continue these restraints, ought to shew their reasons. If it be our pride and happiness to be judged by equal laws, let those who would limit and curtail that equality, explain the grounds of their restriction. This principle I ventured to state on a former occasion, and though some were inclined to dispute it, they could get no farther in their opposition than to deny it: indeed it seems to be impossible for any man, who has the right use of his understanding, to deny its application, in such a Constitution as ours. I submit my motion now, stating that no such necessity exists, waiting for an answer, and ready, should it be necessary, to offer my poor thoughts in reply. But really, my Lords, I am ready even to take the proof upon myself. I take the British Constitution to be founded on equal laws. It acknowledges some distinctions and privileges, it is true; but where there is a restraint on four millions of persons, there must absolutely appear some manifest and palpable ground of expediency or necessity for its continuance. The Catholics come before you restrained from seats in Parliament, from various high offices in the State and in professions, from serving as sheriffs, and with some qualifications from corpo-

corporations. The question is, what should induce you to retain these restrictions? One reason that I have heard, I should be unwilling to impute to any person: but I have heard or read somewhere, that no Catholic can be a good subject. Thus, let me ask your Lordships, if this be true, how can they be fit for all that mass of offices for which their eligibility has been acceded to them, with the exception of about 30; to all military rank below that of generals; to all revenue offices, except four or five; or to swear allegiance at the table of a court of justice? No man should have agreed to their admission, much less have proposed to admit them into courts of justice, who held such opinions of them. But endeavours have actually been used to persuade the public, that no Catholic can be a true and loyal subject. I have heard of some old musty forgotten records, from which old doctrines have been picked out, which are drawn forth against the solemn and positive declarations of living men saying what they profess, and disclaiming what has been objected to them. In fact, saying to the Roman Catholic, 'I know your religion better than yourself. If you deny the persecution of heretics, I tell you that your religion enjoins it. If you disclaim the violation of faith with heretics, I tell you that it is a doctrine of your church. If you say you do not believe in the dispensing power of the Pope, I say you do believe it!' I should think, my Lords, it is enough to take a man's own sense of the obligations of his own religion, and his own test and declarations on those subjects which have been disputed, and not your own opinion on some obsolete opinions which they deny. I know not where persecution is to end, if you try, and condemn and punish men not for being guilty, but for opinions which they do not hold. If it be true that you have actually discovered by the Counsel of Lateran or of Constance, or by some old decretal or canon, that a Catholic cannot be trusted, it must apply to all modes, and to

every view of the future, and lead to a crusade, to drive all those irreconcileable enemies of the Protestant Government out of the country they inhabit. How am I to argue the point, that the whole body of the Catholics is not disloyal? By referring to the repeated Acts of the Protestant Legislature of Ireland! I know of no mode to exhibit mathematical, or strictly logical proofs of the rebellion in Ireland not having been what is termed a Catholic rebellion. There had been two separate rebellions in the Empire before. Look at the Acts of Parliament, and you will find that the demeanour of the Catholics is characterized for the loyalty of that body, notwithstanding the convulsed state of the times. Noble Lords cannot forget the period of the American war, when the navy of the enemy triumphed in the Channel; when Ireland was threatened with invasion; I speak in the hearing of individual witnesses, of those who have been Lords-Lieutenants, and Secretaries to Lords-Lieutenants. At that critical time the Catholic body was not considered to be disaffected to the Protestant Government, but were thought fit to be entrusted with arms for the defence of their country. The next thing I shall notice is what is notorious to every man who has heard of the Rebellion, that the conspiracy was framed and carried on by persons naming themselves United Irishmen, a term evidently adopted to comprehend men of all descriptions in religion, an union of sects, and by no means of the Catholic persuasion only. In the course of the insurrection, the principal leaders punished were actually Protestants. The Rebellion took its rise in circumstances wholly foreign to religious opinions, and pointed to very different objects; and in the event of its success, the overthrow of Catholic power was as certain as that of Protestant ascendancy. Its object was, not merely to overturn the Protestant Establishment, but the Monarchy, and to atchieve the independence and separation of Ireland from Great Britain. It has been said, that in some places

all

all the Rebels were Catholics; but if nearly all the inhabitants there were Catholics, it is not very surprising that many Catholics should be Rebels. But did that Rebellion display no instances of Catholics struggling for the Constitution, risking their lives against the enemies of their Sovereign, and manifesting as much bravery as others did in the ranks of rebellion, sharing with Protestants the dangers of the times? If at present three-fourths of Ireland are better disposed towards you than they have been for many years past, is it not as fair to give them credit, as to throw reflections upon their loyalty? You have the strongest evidence in their favour, in their own solemn, repeated disclaimer of all that you object to them; but you have recourse to old-fashioned absurd arguments. 'Aye, let them swear what they will, they can recur to the dispensing power of the Pope, in which every Catholic believes!' If that be true, and that four millions of subjects cannot be believed on their oaths, then they are positively disqualified from civil government; and therefore we ought to withhold from them, not merely what they now ask, but the partial concessions made to them ought to be retracted; for, I repeat it, in such a situation they are absolutely disqualified by God and nature from the advantages of civil government. But this is not a very happy argument for those who use it, since the very restrictions impose an oath. You say you think the Catholic dangerous, unless he take the oath of supremacy What! but will he not violate the oath? If he be disposed to violate his oath, what prevents his taking it? I expect to hear it observed, that no Priests have signed the Petition I have had the honour to present. But I am authorised to state as a reason for this, that the matter, relating only to civil rights, and not having any relation to any stations the Clergy can fill, they thought it more proper to abstain from putting their signatures to it. But they are perfectly willing to join in it; and I am willing and ready to shew that the respectable Prelates of that Church (for respectable

able I must call them) have all actually taken the oaths, and believe them to be quite conformable to their church. They have earnestly exhorted their Clergy to do the same, who are ready to take them as willingly as the subscribers. But if all Catholics have not been traitors, all Catholic Priests, it appears, must now, of necessity, be reckoned traitors, since their master, the Pope, has taken a journey to Paris to crown Bonaparte, and by this transaction their allegiance is transferred to France. Mark, my Lords, the wonderful force of this species of argument! Really it is so trifling that I should have taken no notice of it were it not attempted to make use of it, to revive heart-burnings and animosities not only in Ireland, but even *here* also. As if we had not known enough in this very town of the mischief and danger of the absurd cry of 'No Popery,' bandied about for the purpose of raising a clamour and riot, and creating an insurrection to prevent the Legislature from passing an Act of substantial justice. But is the Pope really more the enemy of this country now than he was when the family of the Bourbons were on the throne of France? Is he more hostile to us than when the claims of the Pretender were declared and supported at Rome, and when he resided there? Can any person imagine that the Pope has a more earnest wish to exalt the power of France more at present than in former times? I hope there is no man but views with pity the degraded situation of the Roman Pontiff in the recent transaction at Paris, and the humiliating circumstances in which he is placed. Circumstances which must, one should think, inspire him with deep mortification, and with disgust at those who imposed them upon him. What inference can be drawn by any reasonable man from the situation of the Pope, but that his influence is diminished, and his power much less to be feared in every respect, than any preceding Pope? What can be better calculated to destroy his greatness than to represent him in that degrading and dishonourable cere-

ceremony? The times have been when Popes supported France with all their might, without producing any dangerous consequences in Ireland. I remember when the last Pope exerted himself to support your Government, and just with as much effect as when he opposed it; his weakness in both cases was equal. In the present state of Europe the power of the Pope has no effect whatever in Ireland. If, my Lords, all these allegations were absolutely true, that the Catholic Religion does make all men who profess it disloyal, and that the new state of France has thrown the Pope entirely into her hands, then the necessity of striving to counteract that disposition, would demand of us to take such measures as are now proposed. I would say, in that case, that the allies of Bonaparte are not the Catholic Clergy of Ireland; but those who exasperate mens' minds by trying to excite animosities that were gradually composing, and might be settled and tranquillized. But it was said, should your Lordships comply with this Petition, the consequence shortly must be, the repeal of the Test Act; but without entering at all into the question of such a repeal, whether you may think it adviseable or not, this, at least, I am sure of, that it is adviseable to listen to the Catholic Petition. Even though you should think fit to continue the disabilities attached to the Dissenters, it would be a most unjust, unwarrantable, and unheard-of argument, to assert that the Irish Catholics shall not be relieved, because you are unwilling to relieve the Dissenters in this country; a body of men, in a situation totally unconnected with them, and even more opposite to their worship than you are. I know not what scale of comparison ought to be instituted to regulate the claims of different bodies of men. I trust your Lordships must see the policy and justice of concession to the Catholics. Does not the continuance of the present system tend to perpetuate and increase all the difficulties of which we complain? Admit all the charges against the

Catholics,

Catholics, and then what is the course which this country is to pursue with four millions of subjects, inveterate in their hatred of all your establishments? The one is that which was adopted in the reign of Queen Anne, and the other is that which has been pursued with such success in the reign of his present Majesty. On the first system, you must begin by depriving them of their constitutional rights; then of their property, and the means of acquiring property; and lastly, reduce them to the situation of aliens in their own country. There is no stopping in this course. You are put between the alternatives of complete exclusion, or the possession of rights with the alienations of privileges. But if the dispositions of a people are bad, the measure of true wisdom is to alter and ameliorate them. If, therefore, you refuse to accede to their requests, you prevent them from forming an attachment to your government; and if you perceive that your present conduct is mistaken, if you find that it fails to conciliate to your interests any one of the individuals whom you should wish to have attached to you, why must this country persist in a plan so obnoxious to others, and useless to themselves? Your proposition, in that case, amounts but to this; we cannot deprive the Roman Catholics of their property, that is placed by the laws beyond the reach of the government; we cannot deprive them of their natural weight in society, and of those franchises and privileges which at present they possess; but we torment the more elevated ranks of that persuasion, by restraining them from attaining the objects of their ambition, and hinder them effectually from rising to the summit of the professions to which they may apply themselves. If this be not the ground on which the enemies of the Catholics proceed, the only argument that is left them seems to me to be this: we are are now arrived at that particular conjuncture at which we must come to a stand. Can it ever be prudent or desirable for a Legislature to resolve

solve upon a final cessation in a measure of such a nature as this is? If it ever can be prudent or desirable, it must be under circumstances of a very peculiar kind, and of a very marked, palpable, and evident description. But are such then the circumstances under which we are now situated? Your former concessions to the Catholics have been wise, just, and fitting; but now you are told that tumult exists among the people, and by way of a remedy for so glaring an evil, you propose to take away all distinction and hope of reward from those to whom the people are accustomed to look up, by whose influence they are directed, and for whose injuries they feel. If you must place restraints upon any, let those restraints be imposed on the persons who may injure you; but never throw obstacles in the path of those who, if you do not impede them, will labour for your good. And who, after all, are the people whom, by your present restrictions, you exclude? Three or four Catholic Peers, who not only are not disaffected towards you, but who have given repeated proofs of their loyalty, at the hazard of their persons, against the foreign and domestic foes of their Sovereign; these are excluded, even from the *possibility* of being placed in this House. Does this system afford you any thing like security? Suppose these Catholic Peers in this House, do you think they could succeed in persuading you to abolish the Hierarchy? that they would persuade you to desert the religion to which you have been educated, or make war upon the Constitution to which you are attached? I think there is no man who imagines it. Can you be afraid of it? On the contrary, the very circumstances under which they would be introduced, must make them eager, on every occasion, to display how worthy they were of the privilege they had obtained. Go to the House of Commons, you will see that there, too, the mischief is as little to be dreaded. How small would be the number of Catholics elected! and if to take an immoderate calculation, even fifty members, one-half of the represen-

tation, should, in a long course of years, gain admission, of what possible consequence could be a party of comparatively so little importance? If an evil disposition existed out of Parliament, indeed, you might have danger to apprehend from men of such consequence as some of the Catholics in Ireland. I will appeal to you all, if any mischief has occurred from the mixture of Members professing a different religion from that of the Established Church, who have been returned from the kingdom of Scotland! Has any man desired to introduce here the Presbyterian Government? If the exclusion, then, of Catholics from Parliament be groundless, are the other restrictions you have thrust upon them more consistent with policy? They are excluded from the Law, from the Army, and from the Navy; an unreasonable stigma is thrown upon them; yet in the course of my life, which has not been a very long one, I have seen all the principal Offices of the Law filled by men, who, there is reason to suppose, had a Presbyterian education; among those were your Lordship's predecessor on the Woolsack, a Chief Justice of the King's Bench, a Chief Justice of the Common Pleas, a Master of the Rolls, and the present Chief Baron of the Exchequer. I will venture to say, that when they were appointed to their offices, there was no one who knew or enquired what religion they might happen to profess. I could enumerate, in the same way, persons of the highest distinction in the army and the navy. So vain is the argument made use of by some, that if the Catholic claims should be granted, our King would be a Protestant, and his principal Officers in Ireland Papists. A notion has prevailed, that if one party acquires, another must necessarily lose; but so far is that position from being true in domestic politics, that it does not always follow, even between nation and nation, that if one country makes any acquisition by friendly intercourse, another must suffer a loss in proportion; and here by granting to the Catholics what their Petition requests, you give

what

what is of little benefit for you to withhold, but what is of the utmost importance for them to acquire. Does not every student in the law acquire some degree of consequence from your Lordship's situation and dignity upon the woolsack? and is he not cheered by the hope that it may in future be his lot to arrive at a similar distinction? Or what parent would subject his child to the miseries of a seafaring life, and the hardships which, as a midshipman, he must suffer, were it not for the prospect of future successes, such as those of the Howes and the Nelsons of our day? In the army the case will be found parellel. Suppose a number of subaltern officers assembled together, can you conceive any thing more humiliating than the situation of any one of them who could be told by the rest, whatever glories or honours we hereafter may obtain, from all those glories, and from all those honours you must be for ever excluded. To you we can never say—

I pede fausto
Grandia laturus fortunæ præmia.

All the subjects of this country are exalted by the consideration, that there is no man who walks the streets who may not aspire to the highest ranks of the State: and must not the Irish Catholics for ever be excluded from all participation in the dearest object of their hopes and wishes, if those who desire to depress them shall have it in their power for ever to say, it is not we who keep you back, it is the law of the country that prevents your aggrandizement? If this must continue the case, small is the hope that we can ever entertain of seeing domestic discord and animosity buried in oblivion. Therefore it is, my Lords, that I repeat to your Lordships, that though this concession will be a small one for you to have granted, it will be a great one for them to receive; it will remove from them a degrading badge. It will be some consolation to them to reflect, that they have Representatives in Parliament of the same persuasion with themselves; but if you persist in distrusting the

Catholics, is it not natural that they should distrust you? This has been my principal motive for bringing the Petition before the notice of your Lordships; and I must always, to the last moment of my life, remember with the liveliest gratitude, the attention your Lordships have been pleased to bestow me. My object is an union of parties, of sects, of hearts; but I ask you not to grant any thing to me as yet, for I am not prepared to declare what other healing and salutary measures, for many such there are, I should think we ought at present to adopt. Do not let us shut our eyes upon the state of Ireland, but embrace the first opportunity that has been presented to us, of considering the affairs of Ireland in a connected view. This I consider to be a most unexceptionable opportunity. Long have I sought this opportunity to bring forward the Petition, and finding that the Catholics began to grow impatient when nothing had been done towards redeeming that pledge which had been formerly given them, I thought it expedient to bring forward the measure at once. It has been said, that this is not a favourable season for presenting that Petition to Parliament; but I think this season, of all others, the most favourable. We have every external motive for union; we are menaced by foreign enemies; we should close our ranks, and present a firm phalanx to the foe. Let us grant this privilege to the Irish, not as an extorted right, but as a free boon. I feel myself highly honoured that the choice of the Irish Catholics has fallen upon me at so momentous a crisis; and proud shall I be if your Lordships shall conceive that I have properly executed the important charge which they have committed to me.

"My Lords, I move your Lordships, that this House do now resolve into a Committee of the whole House to take this Petition into consideration."

Lord HAWKESBURY.—"My Lords, the speech which your Lordships have just heard, I am free to own, claims no ordinary share of attention, It is, from the nature of the subject, important; and it would

would be to insinuate what could not be deemed fair, to say, that, intrinsically, it is not important. Every thing wished to be conceded on the ground of the momentous nature of the question now in discussion before us, I am willing to concede: and so far, if undue heat have obtained, I do not feel that I ought to impute to the Noble Baron more than what does form the share of every advocate of a cause, denominated popular, will probably, in spite of him, incur. Yet, my Lords, it does become me to remark, that when the Noble Baron began his speech by recommending moderation, instead of that expectation which he occasioned, both in the beginning and conclusion of his speech, he appeared to me to wish for a species of investigation into which, were we disposed to enter, all sobriety of discussion, and impartiality of determination, would unavoidably be frustrated; and nothing but the greatest latitude of unconstrained remark would satisfy, in the discussion of the very important question agitated by the Noble Lord. Far from adhering to the profession of his opening, far from being moderate as the subject demands, far from conforming to the rules of legitimate investigation and enquiry, the Noble Baron has thought proper to mislead your judgment by the menace of the triumph of the cause of the Petitioners."

Lord GRENVILLE.—"My Lords, this is too much. I appeal to your Lordships; if I might, I would appeal to every honest man who hears me, whether the Noble Lord be in order; and, above all, whether he does not offend against the order of our proceedings. My Lords, I say the Noble Lord has been guilty of the grossest misrepresentation. Again, I appeal to the House, I appeal to every honest man, whether I have, in any one instance, had recourse to topics of the inflammatory nature of those dwelt upon by the Noble Lord. I have not introduced subjects of dangerous tendency. I have urged no menace; I have spoken of no triumph, but that which proceeds from the operation of reason. I

have not dwelt on topics calculated to break in on the peace of the empire. On the contrary, I have shewn the wish of my heart to be to encourage and sanction no investigation or discussion not calculated, in my judgment, to promote the welfare of the State, and the ultimate tranquillity of the empire. I wish the Catholics unfettered, but not unconnected. Take off their chains of religious thraldom, and you will directly find that in all political views you gain subjects, and in every social view, you acquire friends."

Lord GRENVILLE had spoken with much animation.

Lord HAWKESBURY.—"I say, my Lords, that, to my mind, the Noble Baron did convey the impression which I have attempted, however feebly, to represent in words to your Lordships. I cannot be supposed to insinuate, that I have done any thing but collected the general spirit of the observations of the Noble Baron, which, if I have not faithfully developed, your Lordships will judge. The Noble Baron has talked of the triumph of the cause of the Petitioners. *(A cry of Hear! Hear!)* I am free to own that the Noble Baron talked of the triumph of the cause by the operation of reason; but I cannot well imagine how a cause is to triumph, unless reason be on the side of those who call in reason emphatically to their aid. A good cause is ever supported by reason. In a good cause you need not talk about the support of reason; for to such a cause you have it. But the Noble Lord talks of the support of reason to his cause, as if he distrusted the interference of reason in a cause so bad.

"However, my Lords, the Noble Baron tells us that he wishes this cause ultimately to triumph by reason—by the operation of reason. I am ready to meet the question upon that ground; and however it may be treated by the Noble Lord, or by others of his turn of thinking, who will follow him,

I know

I know how to treat it on my part with temper, and conduct the enquiry with moderation.

"The Noble Lord has not thought proper to explain distinctly the object of his motion. He has left it to general consideration, and almost infinite details. The whole may be granted, or none granted; for if we consent to go into a committee, it would seem as if the utmost wishes of the Noble Baron would readily be, in all other views, gratified. But to what does the motion of the Noble Baron go? It goes not to any partial abrogation, not to any partial revision, not to any limited modification of the statutes existing, but to an entire repeal of all law, not only against Catholic, but which in any way operate in exclusion of other persuasions, of what denomination soever, from holding the very first offices in the State. I do not say that necessarily the proposition of the Noble Baron concludes that deduction, but his reasoning most unquestionably does. The arguments of the Noble Baron have indeed no other effect.

"But whatever difference of opinion there might be indulged as to the present Petition, I certainly have deprecated the discussion now brought on, at the present moment, and in the present circumstances. No just care is bestowed on this great business by those who cannot distinguish what properly belongs to one moment from what strictly is the concern of another. However, I may disagree from some, or agree with others; however, I may not be of opinion that the claims of the Petitioners ought to be granted at any time, and others may think that they ought to be granted, but not granted now; I am free to say, that no efforts have been spared by me to prevent the question being brought forward; and the respectable Nobleman who is in the lieutenancy of Ireland, to prevent its being agitated in the present conjuncture. But as, after all that has been done to point out to the Petitioners the right line of their duty, they have thought proper to commit their interests

interests to a party avowedly hostile to his Majesty's Government. I feel it to be my duty to myself, my country, to your Lordships, and to the Petitioners, to state what my opinion is of the Petition now before your Lordships for consideration. My Lords, my opinions are not hastily formed; I have considered this subject some years. The investigation of the question before us to-night has occupied my mind for a very long period indeed; yet though my opinion is, that the present time is improper, it is not founded on the circumstance of the impropriety as to time, but on general merits. My objections apply to any time, however peculiarly distinguished, when the question is, or can, or could be, brought forward; and though well inclined to lend my sanction to rational reforms, I am not apprehensive, that in opposing upon this question the weight of my dissent, to reforms of the nature of that sought by the Petition, I detract from the character so justly enjoyed by the British Government for moderation, love of freedom, and general regard to the interests of humanity. Without reserving any thing to be explained hereafter, I say that the question would meet with my opposition brought forward almost at any period.

" In saying this, I do not say, as to political occurrences, how far events might operate to induce different opinions. Yet the country, as to all sentiments, all views, all feelings, all the impressions ever had of this great question, the sense of this country, and of the reflecting part of the world, are against the Noble Baron; and if I should hesitate respecting the character of the designs, motives, and objects of the Noble Baron, mankind could not allow me to remain indifferent to long established habits of thinking, and the consequences of principle, which no change of times can materially alter. Very naturally my view is not the same as that of the Noble Baron, whose views differ not only from mine, but from those of all who have, to my knowledge, made this

this subject particularly their study. On the other hand, if the question were the toleration of religious opinions, I must think, my Lords, that my disposition to indulgence is not less comprehensive than that of the Noble Baron, or any other man wishing the freedom of either religious or political opinion. As to this feeling of toleration, something it may, however, be requisite to remark in order to justify myself in the vote I shall give this night, and with reference to the deductions which I shall feel it incumbent on me to infer from the arguments which I shall submit to your Lordships. As to the question of toleration, I have as strong a feeling as any Noble Lord of the importance of tolerating liberal notions in religion; and I remember the question that has been started, tending to decide whether infidelity, or superstition and fanaticism, were less consistent with the safety of a nation and commonwealth. Without being over-friendly to toleration, I can safely observe, that from the example of the history of the world, I am of opinion, that no greater bane to human society can arise than infidelity. We have had an example of this in our own times. The question, indeed, was reserved for these times; for in the centre of Europe an atheistical republic has been reared up, but fortunately, vanished with the season that gave it birth. That system, however, cannot have failed to make a great and lasting impression on the minds of men. It left on the mind a persuasion, that the violence of fanaticism, in the worst ages of the world, never equalled the intolerance, intemperance, and wickedness of the French Revolutionists. All the deviations of other countries, and of sects in religion, from the rules and precepts of moderation and humanity, were trivial, compared to the atrocity of the first revolutionists of France. The severities of religious bodies were clemency compared to the conduct of the atheistical tolerants of republican France. Recollecting what occured in that country in the period of the world to which

I allude, I will say that those who have any religion, be it what it may, are in a better situation than if they had none. The Catholics are not the class of Christians in whom I feel the most confidence, nay, they are those in whom I feel the least, and for whom, as a sect, I have the least respect. Having stated this, I have no difficulty in saying, that the Roman Catholics of this country, I believe as loyal, as honest, and as meritorious as any men; yet, whatever tenets they may profess, I know their great submission is not real. Still the Catholics may be and are as virtuous, loyal, and honest as men can be, in some respects, though only so in a restricted sense.

" With this view of the subject, I come to the principles of the Law and Constitution, those principles which have been considered the best support of the Throne in Church and State; the bulwarks of our institutions, and guarantee of safety to our country, which I hope Noble Lords will not abandon without stronger reasons than those urged by the Noble Baron.

" Yet whilst I submit that our laws are excellent and ought to be supported, I do not mean to say that laws, however wise, are infallible, or ought to be considered eternal. All laws are liable to revision, and, if circumstances demand, that it may be even wise to abrogate great and important laws. On the other hand, I do say, that there are laws which are the land-marks of our Constitution, the compact between the governors and the governed; and though the modification of these, on a case made out, might be expedient, yet such laws ought not to be changed without the greatest necessity.

" Let us look at the present question as bearing upon, or affected by, our laws. The great and first principle of the law, by the Act of Settlement, is, that the King of this country is a Protestant, and holds communion with the Church of England, as by law established. Our ancestors felt this, and departed no farther than necessity obliged them, from the spirit

of

of the law and Constitution. When they did, however, interfere with the Constitution, they looked at all its other parts, and put it to themselves, whether, if a prince came of a different religion from that established by the laws, they ought not to resist the innovation. They were aware of the inconvenience, and great it was, of breaking in on the line of succession, yet that inconvenience they did incur, thinking that admitting a prince of a religion differing from the established religion, would be a greater evil. The law which settles the succession to the crown, is not founded on temporary views of convenience, or idle speculation, but on experience, and well weighed and fully matured principle. Those who framed this law, came to the conclusion, that the Prince must be of the established religion of the State, otherwise that he would forfeit the crown.

" In establishing this principle another grows out of it, that if it be necessary by law that the Prince should be a Protestant, it is likewise undeniably so that his chief Counsellors, most intimate advisers, and those the highest in his confidence, should likewise be of the established Protestant religion. Surely no one will contend that the Counsellors of the Sovereign should not be of the same religion with the Sovereign. I grant that even of this principle there may be some modification; yet a lawful Crown pre-supposes a lawful Constitution of government. The Monarchical Establishment at the Revolution, was founded on the very principle for which I now contend: and I cannot conceive so absurd, so extravagant a proposition as that we are to support one and break in on another line of the succession, and are to have a Catholic Chancellor, Catholic Judges, and the whole Civil Administration in the hands of Catholics Arguing, *ab initio*, you might say, indeed, that, in the case of the Crown, you would remit the law; but how unaccountable to alledge that the Crown shall be Protestant, and yet its advisers need not.

" The respect for the Crown, however, has been marked in former times. The Crown was treated as the subject is now attempted to be treated. In point of fact, it was what was done in the time of Charles II. for then they began against Presbyterians, Catholics, and Dissenters of all descriptions; but during the whole time no Act was passed as to the Crown. The subject was to be of the Established Religion; the Crown was not. When the Duke of York became a Catholic, and was coming to the Crown, it was said that the circumstance of his avowal of Catholicism was, as to the law of succession, *ex post facto*, but he was not excluded from the throne.

" Now, in point of reasoning, and in point of fact, if the limitation of the Crown was necessary, it was more so to restrict the Counsellors of the Crown.

" As to political power, your Lordships will, however, look to it with jealousy, and will not place it in unworthy hands; in hands in which it can be abused with the view of political supremacy. Those who dispense the favours of the Crown, should be of the religion of the Crown. The inference from the argument of the Noble Baron is, however, that he would dispense with tests altogether.

" Upon the practical effects of the motion, it is necessary to state to your Lordships in what Disssenters and Catholics differ, and to shew that our English Dissenters differ more from the Church than the Catholics. There are many tenets in which Catholics seem to come nearer the Church than Dissenters; yet in one most essential point the Catholic is more at variance with the Church, and that is in regard to internal government. The Dissenter admits the right of the Church to internal government, but the Catholic contends for external government, and the supremacy of the Church of Rome. This foreign jurisdiction is stated to be merely ecclesiastical; but no one who reflects on the thing will fail to consider it as political. Will Noble Lords consider that great

part

part of the lands of another part of the empire is in the hands of the Catholics, and will not that give them political power? Now the Catholics, honestly, I will suppose, think the Church of England heretical and idolatrous. And if they, by being admitted to the first offices in the State, gain power, who will assure himself that they will not inculcate the doctrine, that since they are not of the Church, they ought not to be called upon to contribute to the maintenance of the Church? If the Catholics he honest men, they must prefer their own tenets to any other; and because of that they ought to be received with jealousy.

"But it is said, that with a Protestant King nothing can happen to give the Catholics power. Now, on their own principles, this must be sufficient to induce them not to be zealous, or at all desirous, to compass the ends of their present Petition: for, most assuredly they wish for power, without which rank in the State would be idle and nugatory. If, however, with a Protestant Prince, they could gain no ascendancy, or acquire no power, compliance with their Petition would be worth nothing to the Petitioners. If, on the other hand, you think there will be no danger in abrogating the laws, do it openly. The argument of the Noble Baron applies to trusting employments to Catholics, and qualifying them to sit in Parliament, I will not go deeply into this question; I think that when the elective franchise was granted them, enough was done; but that has not satisfied, and we are called upon to expose our security, by granting what I do believe will end in ruin.

"As to the consideration of the question, on the ground of time, I wholly differ in opinion from the Noble Baron; and contend that the most dangerous time we could choose is that when the power ruling in France is closely connected as it is with the Pope of Rome. The ground of this opinion was seen in the rebellion of 1798. But if you grant the Catholics

lics what they ask now, will they not ask more, when we know that no sooner were the concessions made them in 1793, than they expressed that farther concessions would ensue? The character of the Catholics, if they did acquire power, we can collect from the history of the short period when one of the Stuarts held temporary sway in Ireland; for there were then the most diabolical laws enacted and enforced in the districts of the Catholic Government. By the Revolution of 1688, however, the accession of Catholics to power is foreclosed; and certainly these are not times to abrogate the laws in their favour. This was done by the Whigs, who, however, could not have effected that Revolution but for the zeal of the Church, that had, on so many occasions, aided the State. For if the Church has been upheld by the State, the State has been upheld by the Church; hence innovation of the Constitution of the Church ought to be received with jealousy, and promptly repelled. By the Act of Settlement the Catholics cannot be admitted to unlimited, unconstrained, ecclesiastical, and political power.

Why are they anxious about what will not avail them? If we are to protect our laws, let us do so while in our power: If we are to give them up, let us do so with our eyes open, and aware of the value of what we are surrendering. What I have said, I am conscious applies solely to the Great Officers of State; and I am ready to admit that the question with respect to the right of sitting in Parliament stands, in some respects, on different grounds. The Law requiring persons holding offices of trust to hold communion with the Church of England, does not apply to Members of Parliament. All that is required is a declaration against Popery, merely of a doctrinal kind. But there are reasons against the privilege of an insurmountable nature. Some years ago the Irish Government granted to the Roman Catholics the Right of Elective Franchise, whether properly

properly or not, I shall not say. The effect of it, I believe, was to benefit the Catholics, and not to injure the State. It was to the one a civil advantage, without proving to the other a political inconvenience. But the moment you open the Representation, and extend it to Catholics, the privilege of voting, which in Catholic Counties is nearly equal to *universal suffrage*, will then be entirely changed. It will, on all occasions, become a question between Catholic Priests and the tenantry; and thus, instead of bettering the situation of the mass of the people, or giving them a boon, you will have involved them in perplexing, difficult, and embarrassing situations. The inference, therefore, which I draw from this circumstance is, that though the question of a right to sit in Parliament, is, in some degree, subordinate to the claim of being appointed to the highest offices of trust, the principle applies from the one to the other. I come now to consider a question which I cannot help thinking the Noble Lord treated in a very extraordinary manner. He said, he saw nothing in the time when the Petition was brought forward, which seemed to him at all to render it objectionable. I view this in so different a manner, I think that things are so peculiarly changed since the year 1801, that I should esteem it no inconsistency in any to say, that, while he approved of the measure at that time, he disapproved of it at the present moment. I must on this point call your Lordships' attention to a period somewhat antecedent to that which I have now alluded to. The French Revolution, from the principles on which it was latterly carried on, had made it become the cause of all religions to join in opposition to those who disclaimed every idea of religion, and acted on a blind and headlong philosophy. Men of every persuasion preferred those who had some religion, to those who had none, and thought it better to bury their old animosities and to write against what they felt to be the grievances of the day.

Even

Even after the circumstances which had raised this opinion ceased to operate, the idea continued with some.—Within the three last years, however, we have seen a wonderful change in the internal Government of that country. Sixteen years of extreme democracy have ended in subjection to the arbitrary powers of a single individual; the Chief of that country now seeks to prop his own power on the support of the Catholic Church; and, between him and the Pope of Rome, a close and intimate connection subsists. Whoever looks at the present state of Catholic Europe, and contemplates that every part of it, except Austria, is under the power of France; whoever considers the connection between France and the Pope of Rome, and between the Pope of Rome and Ireland; whoever does so, and reflects seriously, will confess, that there never was a time so improper for conferring additional immunities on Roman Catholics. If they look at the active powers of our enemy, they will confess that this is not the time to relax the principle. I do not urge this, however, as my reason for objecting to the motion. I think that it would be objectionable at any time; but I urge those considerations on account of other Noble Lords, who may think the measure not objectionable in itself, if brought forward at a proper period. I shall now proceed to state some other practical effects which must be produced by the adoption of the present motion. We are called on to make a great and fundamental alteration in the laws of our country. It is therefore, surely, the duty of those who recommend that measure to us, to shew what beneficial effects will result from it. I do not believe that the measure proposed will affect the great mass of the people of Ireland in the smallest degree, even should it be carried. It would, indeed, be of advantage to a few individuals, and this we are called on to grant at the expence of the general system of our own laws. In proof of this, I cannot help referring to a circumstance which happened

pened some time since, when a person, who, by many men of the first talents in this country, was represented as a respectable and worthy man, but who afterwards turned out to be an infamous traitor (O'Connor), and another man of considerable superior talents (Dr. M'Niven) were pardoned, on confessing what they knew on the subject and causes of the Rebellion. When this question was put to them, in what regard Parliamentary Reform and Catholic Emancipation were held by the mass of the people of Ireland, the answer of the former was, that the great mass of the people "would not give a *drop of ink;*" and, of the latter, that they "did not care a *feather* for Parliamentary Reform, nor for Catholic Emancipation, till it was explained, that under the latter was meant to be comprehended the abolition of tythes." The Noble Lord has said, that we, by acceding to his Motion, are parting with little, but are giving to the people of Ireland much. My opinion is exactly the reverse. You would, indeed, were you to agree to the Motion, be giving them little, whilst you would be giving up much.—'What, not enriching them, would make you poor indeed.'

The argument rather seems to amount to this—As you have already given them so much, why do you not give them the rest? What you have given is of little consequence, if you do not give them what remains. To get all which they want would be to be made the State itself. In giving this, you give the whole; you give into their hands the powers of sovereignty and jurisdiction. Another consideration operates in my mind; supposing all the objections I have already mentioned, were got rid of, would they be satisfied with what they are now asking? Would they not ask something farther? And would not you then be in a worse situation to resist their demand? Even in this Petition, though I confess it is temperately worded, I cannot help remarking, that they do not seem satisfied with the tests to which they

at present conform. They take them, but they consider their doing so a hardship; and if you give them this they are now asking, you will find they are not at the conclusion of their complaint.—It would be more manly to state the whole of their complaint at once. You would then see what you were doing, and whether it would be right or wrong to grant it. This reminds me, however, of a little history which occurred in the year 1793, when my Noble Friend opposite (Earl Fitz-William) was Lord Lieutenant. The elective franchise, and every thing, indeed, they then asked for was granted them. They came up with an Address of thanks, and at the end of that Address they let out a hope that that was only the first step towards granting them all their demands. It is important to bear this in mind, and to consider not what we grant, but what we may be called on to grant. May we not, if we this day give what is asked, be informed next day that three-fourths of the population of the country are called on to pay for a church to which they did not belong? Would we not then have another battle to fight—not stronger in argument, but more suited to the feelings of the people? This is the outwork of your Establishment. You are called on to fight for it as such. If you surrender it you will maintain your inposts to less advantage, when it is destroyed. If there was no reason but this for rejecting the Motion, I should feel it my duty to resist it. I admit that all concessions granted during the present reign have been properly bestowed. But this circumstance I can never forget, that from the time of their being excluded from every privilege, to the period of renewing the concessions to them, although two serious rebellions, within that period, raged in Great Britain, Ireland was uniformly tranquil—and it is only since the concessions to the Catholics have been made that rebellion has again began to shew her head there. The Noble Lord approves the principle of granting concessions gradually. I think otherwise. Gradual concessions keep

keep mens minds in a continual state of irritation—and they think that, by pertinacity they will get more and more. I am persuaded, the best mode in any country, but more particularly in Ireland, is, to pursue a steady and uniform system of policy.

"We ought to defend the Church. When in 1660, the Monarchy was restored, the Church was a grand instrument towards the Restoration; and in 1688, the Church powerfully contributed to the Revolution.

"With these sentiments, thinking that if we do grant the Catholics more indulgence, thinking that the speech of the Noble Baron goes to the abrogation, not only of the Catholic, but of the Corporation, Settlement, and all the Test Laws; not thinking that the Noble Lord has established any one position in his speech; believing, that in the circumstances of Europe, and the world, at this time, it would be peculiarly unfortunate and unpropitious, if the demands of the Catholics were yielded, I, my Lords, cannot but be most decidedly inimical to the present motion. Some Noble Lords may differ from me as to the general policy of the measure, applied to other times; to such I will only say, that whilst I must think it a measure bad for any times, yet in these times it would, I am sure, prove most ruinous to our internal repose and external tranquillity.

"As the laws established by our Constitution, as the institutions in Church and State, as a Protestant King, Protestant Counsellors, Protestant Parliament, Protestant Judges, and Protestant Corporations, have hitherto best upheld our State, been the props and bulwarks of our Constitution and our liberties, and promise us the highest security to be derived for human conventions, establishments, and laws, from human system; as *our system* of government is, as now existing, acknowledged the first in the world, I must not only oppose the motion of the Noble Baron, but I call upon your Lordships to cling to that system which has secured our safety, the permanency of our institutions, the purity of our laws, the

prosperity of our nation, the liberties of the people, and the prerogatives of the Sovereign. My Lords, I do not fear the result of your vote; I feel assured that your Lordships will this night seal the triumph, not of disaffection and discontent, but the solid ascendency of the principles of the most glorious Constitution of Government that has ever appeared among mankind. With these impressions, my Lords, I need not add, that I will heartily oppose the Petition now before you."

His Royal Highness the DUKE of CUMBERLAND.—" My Lords, I feel it in a most particular degree my bounden duty, on this occasion, to declare, in the very first instance, my opinion, and to give my most decided opposition to the motion before the House, and to urge every resistance in my power to a measure, the objects of which are directly subversive to all those principles which placed the House of Brunswick upon the Throne of these Realms. I fully agree with the Noble Secretary of State, that the Act of Settlement, and all those Acts on which the liberties of this nation, and the title of my Family to the Throne depend, must be abrogated and annulled before the Petition on your table can with any shew of reason or common sense be entertained. Let us, my Lords, consider most maturely the question before us. Is it not whether we shall give to the Roman Catholics all the great places of power and trust in the State? Was it not to oppose such a principle that caused the Revolution? nay, my Lords, was not the opposition to that principle the very life and soul of that Revolution? Can it be possible then that your Lordships will for a moment so far entertain a Petition of this nature as to go into a Committee upon it, in order to deliberate on the propriety of its adoption? But I trust your Lordships will never agree to a measure which must inflict the deepest wound on the crown and the country, and put every thing dear to us in immediate hazard by so rash an expe-

experiment. Let us remember, my Lords, the chief principle which caused the Revolution, namely, the impossibility of agreement between Protestants and Catholics in a mutual participation of political power? Are you not convinced by the experience, not only of this country, but of every state in Europe, that Protestants and Catholics cannot agree in the joint administration of political power so divided? The object of the Catholics now is, to obtain political power, to reverse all those laws upon which is founded the security of our Constitution in Church and State; and to renew all those scenes of confusion and of blood that have stained this land, at various times, from the Reformation down to the reign of James II. who, for his attempt to revive Popery, and to transfer power and influence into the hands of the Catholics, was driven from the Throne, which event led to the establishment of those principles, the violation of which, by granting what is now demanded, would render it impossible for the constitutional connexion between the King and his subjects any longer to exist. Beside, my Lords, are we not to consider that the temper of the times, and a very great portion of the sentiments of the country are against it. Have you not upon your table Petitions from the Cities of London and Dublin, from several Counties, and highly respectable Corporations, and Communities, throughout the nation, against it? Are we not aware of the sentiments of the whole country on this subject? And will you consent in opposition to that general sense, to admit Roman Catholics to seats in Parliament, to his Majesty's Counsels, to the chief command of your fleets and armies, to the highest seats of judicature, and throw open to them all the Corporations, upon terms much more free than to a very great portion of our Protestant fellow-subjects? But I will ask one question, my Lords, which I think will put an end to the discussion. Do the Petitioners acknowledge the supremacy of the King in ecclesiastical as well

well as civil affairs, as by law established? No. Then where is the safeguard to your established religion? Or, will your Lordships agree to dispense from this acknowledgment the Catholic, in claiming to enjoy all the places of power, trust, and emolument in the State, to which every Protestant is indispensibly bound? Are we, my Lords, to destroy, by any rash innovation, those laws and landmarks, wisely instituted by our ancestors for the permanent security of our Constitution? My Lords, to every privilege and indulgence consistent with those laws, I am perfectly willing to admit the Catholics. But to any measure having a tendency to unhinge those principles, or risk in any degree the safety of our Constitution in Church or State, I can not, I dare not, I will not consent. I am bound to maintain, to the last moment of my existence, the principles of that Constitution in Church and State, which placed my Family on the Throne, and without trespassing on your Lordship's attention, I shall sit down delaring my decided negative to the motion of the Noble Baron.

Earl SPENCER.—" My Lords, after the very able, and in my mind, irresistible arguments urged this night by my Noble Friend who brought forward this motion, I shall not think it necessary to trespass many minutes upon your Lordships attention. The Noble Secretary of State who rose to reply to my Noble Friend thought proper to attribute to him expressions and intentions which my Noble Friend so instantly and effectually contradicted, that it is wholly unnecessary for me to vindicate him on those points. But I beg to assure your Lordships, that if I thought, either the motion brought forward by my Noble Friend, or the speech by which he has so eloquently supported that motion, could have in the most distant degree the tendency attributed by the Noble Secretary, of injuring the safety of Church and State, as established by law in this realm, or shaking the Throne of the illustrious

lustrious House of Brunswick, I would have been one of the foremost and most strenuous to resist it. I perfectly agree, my Lords, with the Noble Secretary of State in the principle he recommended, that the subject should be discussed with candour and moderation; but having laid down a principle so very commendable, I own I was sorry to find the Noble Secretary himself the first to depart from it, to attack with so much heat and violence the speech of my Noble Friend, and to depart from that calmness and moderation which had so peculiarly characterized the whole of his speech. My Lords, for my own part, I entirely disclaim any wish to introduce intemperance into this discussion. The Noble Lord has arraigned the intention of the Petitioners of a wish to obtain power only for purposes subversive to the Constitution: but, my Lords, from my own knowledge of some of the persons who have signed that petition, I am convinced the Noble Secretary has gone much farther than any thing in the known respectability of their characters can be found to justify. The Noble Secretary has talked of allegiance acknowledged by the Roman Catholics to a foreign power. I know not where the Noble Secretary has found this argument, but it is entirely new to me. I know not where he has found the Catholics avowing any temporal allegiance to the Pope, or any other foreign power. They consider him, indeed, as their Spiritual Chief; but they acknowledge to him no temporal superiority or allegiance whatever. The Catholics have solemnly disavowed, upon oath, all those mischievous tenets charged upon them by the Noble Lord. They have pledged themselves by the most solemn oaths left to bind the veracity of man, and by every test you have required of them, in the firmest allegiance to his Majesty and the established Constitution of these realms; and unless they are to be believed upon their oaths, I know of no security for public justice, for life, or property, in this, or any other state,

state, where they are suffered to exist. My Lords, the Catholics have repeatedly sworn that they bear no political allegiance to the Pope, and the best informed men of their community have disclaimed those odious doctrines so often charged upon their sect. This being the case, I cannot conceive upon what authority the Noble Secretary founds his assertions. But if it be true, that Catholics are those dangerous beings they are represented to be, and that it is so unsafe for the State that they should possess any civil power, I wish to know why the Noble Secretary refuses the motion of my Noble Friend for going into the Committee, not to pass a law for granting further power to the Catholics, but to consult the expediency of repealing all those laws that have obtained in their favour during the present reign. The Noble Lord has argued, that concession to the Catholics has only served to stimulate new demands, that indulgence had served to render them rebellious, and that they have been peaceable only in proportion to the pressure of the penal laws. Why not act then upon this discovery—why not go into the Committee, for the purpose of consulting the propriety of re-enacting all those laws, of annulling all those measures of favour to the Catholics that have been thought to grace his Majesty's reign, and reduce them to that state in which they were found at its commencement? For, my Lords, if the reasoning of the Noble Secretary be good for any thing, it must necessarily go to that extent. My Lords, the Noble Secretary has laboured to prove, that the late rebellion in Ireland was a Catholic Rebellion, for the purpose of subverting the Protestant Religion, and establishing Popery on its ruins; but the proofs he has adduced directly contradict his assertion; for the Noble Secretary has acknowledged and proved that the leading conspirators in the late Rebellion, both Protestants and Catholics, totally denied any such object, that they were equally inimical to all religious establishments. In fact, it is notorious, that the Rebellion was entirely

tirely for jacobinical purposes. Equalization of property and condition, were the objects held out to the multitude engaged in that Rebellion: democracy was its main object. In fact, my Lords, there has not been the shadow of proof that religion is the active spring to Rebellion amongst Catholics; and, therefore, I cannot see how Religion is to be pleaded as a sufficient cause to justify the perpetuation of constraints. The Noble Lord has asked, if you grant the prayer of this Petition, where are you to stop? And he directly argues, not until you have repealed the Act of Settlement. If the Noble Lord, seriously means this, I know not what argument to apply to such imbecillity. In my apprehension there exists not the slightest ground for such an idea. The Act of Settlement I rather think is brought now into question, not from any real fears, but merely for the purposes it serves to answer, namely, those of influencing timid or dubious minds by vain and groundless apprehensions. But, as my Noble Friend has argued, the real danger exists not in abolishing, but in continuing those invidious restrictions; for so long as such degrading disqualifications are continued against so great a majority of the people of Ireland, so long will the mortifying sense of them rankle in the bosoms of that people, and constantly furnish dangerous and designing agitators with a feasible pretext for stirring up dissentions, and disposing the lower orders especially, to tumult and insurrection. But, my Lords, I cannot think, from the experience we have had in the effects of past relaxations to the Catholics, that there really exists the smallest reason for continuing the remaining restrictions, unless it can be really proved that the discontinuance is dangerous to Church and State, and I have as yet heard no proof whatever to warrant such a conclusion. My Lords, the Noble Secretary has said, if you grant this you grant all—True, my Lord; and if it is granted upon the same

ground that all the former indulgences to the Catholics have been granted, namely, their unshaken loyalty and attachment to the Constitution, I see no objection to it; nor do I, in any degree, participate in those fears expressed by the Noble Secretary for the fundamental laws of our Constitution, from such a measure. Does the Noble Secretary really mean to insinuate that it would really tend to a repeal of the Act of Settlement? If he does, he totally mistakes the principle of that Act, as well as of this measure; for most if not all the estates possessed at this day by the Catholics of Ireland, and certainly all the purchases made by them within the last twenty years, are actually held upon no other titles than those founded on the Act of Settlement; and it is hardly probable the Catholic gentlemen of Ireland would be desirous, if it was even in their power, to repeal an Act which is the security for their own possessions. I am convinced, my Lords, that so long as those restrictions continue, they will operate on the minds of the Catholics as a constant grievance, although the Noble Lord may think that the great mass of the lower orders will never think about the exclusion of their superiors from Parliament and places in the State. By your former relaxations you have, in my mind, wisely enabled the Roman Catholics to obtain opulence, and encouraged them to cultivate education, and to cherish the sanguine hope that the same loyalty and good demeanour which obtained for them past indulgence, would speedily procure for them all that remained: but by the continuance of those restrictions longer, you cast a foul stigma upon them. You have already granted to the great mass of the lower orders the elective franchise and all those privileges and immunities appropriate to their situation and rank; but you refuse to the Catholic Peer and gentleman, whose rank, education, and property, attach them to your Constitution and Government, and entitle them to your confidence, the

privileges and immunities appropriate to their situation. I have no doubt, my Lords, that the wisdom and sound policy of abrogating those restrictions will, ere long, force their way to adoption, notwithstanding the resistance they may at present experience. But I am sure that by granting the measure now, as a concession of liberal and generous policy, it would come with infinitely more grace and effect than at a future day, when it shall have the appearance of yielding to necessity, when the Catholics become more numerous, more wealthy, and more powerful. The Noble Secretary has said, that the time chosen to bring forward this measure is utterly improper; but his argument on this head seems to be particularly unfortunate. He has stated, that since the year 1801 a new order of things has sprung up in Europe: that an Atheistical Republic has reared its head in France, which, after various and dreadful changes, has terminated in the despotism of a tyrant, the implacable enemy of this country, who has found it necessary for his purpose to call religion to his aid, to coalesce with the Pope, and thereby obtained additional means of gaining to his views the Catholics of Ireland. But surely, my Lords, if from this new state of things in Europe, any additional danger threatens these kingdoms, or any effect is to be produced upon the minds of the Catholics of Ireland, this is precisely the time of all others to conciliate their affections, by casting away all symptoms of distrust and jealousy. The very apprehension expressed by the Noble Secretary on this head, is, in my mind, the most convincing argument to prove that this is precisely the moment for us, by throwing aside our doubts and distrusts to cultivate the confidence of our Catholic fellow-subjects, and by so doing, unite and concentrate all the strength of these united Kingdoms against the menaced attacks of the common enemy. These, my Lords, are the reasons which sway my mind in fully agreeing with the motion of my Noble Friend. I

fully agree with the Noble Secretary in the inseparable union of Church and State, but I cannot think that union exposed to any risk from granting the prayer of this Petition."

Lord SIDMOUTH.—" My Lords, I am fully disposed to follow the recommendation of the Noble Baron who introduced this motion, and to discuss the important question before your Lordships with all the temper and moderation it so necessarily requires. Whatever sentiments I entertain on the subject, I will avow them plainly and frankly; and I will begin by saying, that though I am ready to go as far as any of your Lordships in whatever regards a sound and wise toleration, yet I am by no means prepared to go the extreme length proposed by the Noble Baron. I have listened to what fell from that Noble Baron on this occasion, with all the attention and respect due to whatever comes from him on any subject, and I heard him with the same pleasure I always have done; but it was a pleasure mingled with surprize and astonishment. When I recollect how greatly that Noble Lord has heretofore distinguished himself in combating doctrines which led to all the calamities under which a great portion of the people are actually suffering, and I fear will long suffer, it is not without excessive astonishment that I heard him this night take so opposite a course, and maintain doctrines, the direct tendency of which would be the introduction of all those innovating principles against which on former occasions he has so manfully and successfully struggled. In the year 1790, the Petition of the Dissenters for the repeal of the Test Act was opposed by that Noble Lord; but I cannot agree with him in resisting the minor proposition, and granting the greater.

" Before I enter upon this question, my Lords, I will take this opportunity of declaring my entire concurrence with my Noble Friend (the Secretary of State) in giving full credit to the Catholics for their

their loyalty and attachment to the Constitution, and that beneficent Sovereign placed at the head of it. Their loyalty, I will acknowledge, has been for a series of years highly meritorious: I am not inclined to withhold from them the rewards due to that loyalty and attachment; but those rewards I have understood to have been long granted to them as fully as they could possibly require. I have no doubt that the Petitioners are men such as they have been stated, honourable and conscientious; but I will not argue what the sentiments of great bodies of men may be, from those of individuals, nor even what those of individuals would be under strong and peculiar circumstances. I give the Petitioners credit for their sincerity and integrity; but even those qualities are subjects of alarm to me in the present case: I am anxious to avoid being accessary to the disastrous consequences which may result even from the acts of honest men obeying the impulse of their consciences. Much, my Lords, has been said on the subject of toleration. But, in my mind, toleration the Catholics of Ireland enjoy in a degree as ample as can be acceded to them consistently with the security we owe to our Constitution and Establishment. The Noble Lord has admitted that their toleration is complete as to every exercise of their religion. But he demands for them considerably more;—no less than a participation in political power. Their claims then are for something of a more comprehensive range; it is for undefined privileges artfully suggested under the convenient phrase of Catholic Emancipation—a very convenient term I will confess for those who have other views to answer, but certainly one not calculated to promote the object of the Petitioners. It is calculated to awaken the hopes of the great bulk of the Irish Catholics, that other objects may be gained by persevering in the same steps which led to this. They care little for the privilege of sitting in Parliament; but they have an object in getting rid

rid of the oath of supremacy. The Noble Baron who commenced this debate, has adopted, for him at least, a novel line of argument. He began with arraigning the policy adopted towards the Catholics by our ancestors, and which, with little variation, has been followed until within the last twenty years. But what, I would ask the Noble Baron, is the true object of this Petition? Is it not to get rid of the Oath of Supremacy and the Declaration—tests which the wisdom of those who have gone before us thought indispensible to the maintenance of our Constitution? If we dispense with the Oath of Supremacy, it will pave the way to other objects, which I cannot contemplate without alarm.

" My Lords, the penal laws under which the Catholics of Ireland formerly laboured, are as revolting to me as to any man; but they arose out of indispensible necessity, nor was there any of them that will not appear fully justified by reference to the history of the country, from the Reformation to the Revolution. I will admit, however, that those laws were forced upon Ireland; and, in making this declaration, I speak from my conscience, and with the regret of an honest Englishman. It cannot be denied that they were forced upon that country by a cruel and overbearing necessity. *(The Noble Viscount here entered into an historical detail of the various plots and rebellions in Ireland, which he alledged to have justified the various penal restrictions upon the Catholics).* From these statements on facts, I aver that our ancestors were justified, by such various acts of treason and rebellion, to impose those severe laws they have enacted, upon such of the population of that country as professed the Roman Catholic Religion. Some of the most severe of those statutes were passed in the reign of William III. than whom no Prince or other man ever entertained a truer notion of, or a more sincere attachment to the genuine principles of toleration and rational liberty. *(The Noble Viscount here went through the history of the political restraints*

straints imposed on the Catholics by the penal code, down to the commencement of the present reign.) But, my Lords, during the reign of his present Majesty, nearly the whole, and certainly the most severe and obnoxious of those restrictions, have been done away: and under the Constitution, as it now stands, I will ask, what are the inconveniences felt by the Catholics? Are they not as fully protected in their characters, their properties, and their liberties, as any other description of his Majesty's subjects? I call upon any friend of the Catholics to point out a single statute in our legislative code which, at this day, bears hard upon them, and I am persuaded, if any such statute does exist, it is only necessary to point it out in order to induce its repeal. I acknowledge, my Lords, that many of the arguments formerly used against extending any indulgence to the Catholics, are no longer applicable. I am free, also, to confess, that the existence of a Pretender to the throne can no longer be urged as an argument against their claims; and if I thought that the effect of conceding, the substance of this Petition would be to unite the mass of the population of Ireland, perhaps I might have been disposed not to oppose it so decidedly as I find myself under the necessity of doing. But when I see the Catholics, almost undisguisedly, endeavouring to become, not merely a part of the State, but the State itself, it is an object which I can never be induced to grant them. It is not merely a civil right, but political power in the most comprehensive signification of the term, which they seek to attain. I agree fully, my Lords, with the argument adduced by the illustrious person near me (the Duke of CUMBERLAND) that there is no instance of Catholics and Protestants dividing political power, without infinite mischief to the country. The unhappy James II. who was at once the patron and the dupe of such a project, affords us a striking proof of this observation, in a series of misfortunes, which terminated in the loss of his throne. We have seen, from recent experience

perience, the alarming consequences that have already risen from the rapid relaxation of the popery laws in Ireland, which, instead of securing a strict and orderly conduct in that community, very shortly was succeeded by an open rebellion. What, then, may be the consequence of abolishing all remaining restrictions, and admitting the Catholics to a full participation of political power? One consequence of acceding to the prayer of this Petition would be, that their clergy would acquire an authority, which, under the peculiar tenets of their religion, and the facility it affords them of influencing the minds of their flocks, it is much to be feared they would convert to a dangerous use. I will put out of the question all evasion, mental reservation, and many other dangerous tenets charged upon the Catholics, and only ask your Lordships to consider of two such dangerous powers as those of excommunication and auricular confession, and say, whether they will not open a door to all the dangers that may accrue to the National Church from the employment of such engines? There is but too much reason, my Lords, to apprehend that the Catholic Clergy in Ireland have never relinquished the hope of becoming the hierarchy of the country. I have the authority of the late Lord Clare, that there continues to exist Catholic Consistorial Courts in every diocese in Ireland; and I have that of Dr. Troy, the Catholic Bishop of Dublin, to prove, that a Cabinet of Cardinals actually sits at Rome, to superintend the ecclesiastical affairs of the Irish Catholic Church. Nay, more, my Lords, there is not a dignity in the Established Church that has not its counter-part in the Catholic. The ostensible, and, perhaps, the real object of those Noblemen and Gentlemen who signed this Petition is, I am ready to own, fully and fairly expressed. I am willing to give them every credit for candour and sincerity. But is this the sole object of the great mass of the Catholics in Ireland? Will they not be desirous of going

going a step further? Will they not naturally look to the attainment of this measure as the means of re-exalting their fallen priesthood, and various other privileges, which cannot be granted to them without imminent danger to the established Constitution in Church and State? But even if nothing more was required than the objects limited in the Petition, I agree with the Noble Secretary of State, that it cannot be done without the certain sacrifice of the Act of Settlement. The admission of Catholics to corporations, we have the authority of Lord Clarendon to prove, caused the Rebellion of Ireland in 1641; and what must be the consequence in the first instance of admitting Catholics to seats in this House, through the medium of popular election? In this country we have frequently witnessed the scenes of riot attendant on such elections, from the attachment of parties to favourite individuals; but what must be the case in Ireland on such an occasion, where the force of numbers would be opposed to the influence of property, and religious propensities combined with popular fury?

"My Lords, it seems to me a proposition monstrous and shocking, to be called on to place the Catholics on a superior footing to so many other classes of his Majesty's subjects, the Protestant Dissenters; and upon the condition of only a limited allegiance, to grant to those who refuse to admit the King's Supremacy, and withhold from those who do. I call upon your Lordships to preserve your Protestant King and Protestant Parliament, and to recollect that it was a Protestant Parliament who rescued this nation from the dangers of a Popish King. I conjure your Lordships to follow the example of your great Protestant Deliverer, William III.; and resolve to die in the last dyke of the Constitution, both of Church and State, rather than abandon one principle of either. There are two roads, my Lords, before us: one of them, that old, venerable, and well known way, traced out for

us by the wisdom of our ancestors. In pursuing that we can encounter no dangers. The other, a way untrodden and perilous, and leading to innovation, the consequences of which no human foresight can develope. I am not prepared, my Lords, to rush heedlessly into a path leading to such desperate results, and therefore I shall vote against the motion for referring this Petition to a Committee.

Lord MULGRAVE.—" Feeling it my duty not to give a silent vote on this question, I shall trespass as shortly as possible on the patience of the House, in declaring my sentiments. On this occasion, my Lords, I must differ from both my Noble Friends who have spoke against the motion: because from the best attention I have been able to give the subject, I cannot perceive those dangers which they seem to apprehend to Church and State from admitting Catholics of property and education into a share of legislation; neither can I agree with the Noble Secretary of State in disapproving of the gradual system of amelioration adopted towards the case of the Catholics: a more rapid mode of proceeding might have produced a revulsion, dangerous in its consequences. Whenever restrictions are to be taken off, it is the duty of those who propose the removal, to take care it be done with as little risque of inconvenience as possible. With respect to the Petition on your table, my Lords, I do not hesitate to profess myself friendly to its object; and I only lament that the time for introducing it has not been more properly chosen. I apprehend the general sense of the country is not favourable to it; that it is not likely to succeed in the general approbation of either House of Parliament. I fear the introduction of it at present will only tend to excite religious dissensions, that will tend ultimately to frustrate its great object. Those who have brought it forward at this time, could not but know it was without the least prospect of success, and, therefore, their conduct has tended to throw

throw the measure desired to a much greater distance than I, who am a friend to it, could wish. I cannot, therefore, feel disposed to give it that support, when thus urged forward precipitately and intemperately, that I otherwise should have done. My confidence in the professions of those Petitioners is much shaken by their precipitancy on this occasion, which will certainly teach me to observe well their measures and proceedings henceforward. Upon this ground it is that I am disposed to resist the Petition in the first instance. There is another ground, too, on which I am induced also to resist the Petition, namely, that it is not the claim of the mass of the people of Ireland, but that of a few interested individuals. Where, my Lords, are the other Petitions in favour of it? There are none. If, my Lords, the Catholics are to be let into political power, I see no reason why it should be restricted to the Catholics of Ireland alone, whose toleration under the Constitution is far preferable to that of the English Catholic. For these reasons, though I profess myself friendly to the principles of the measure, I shall resist it for the present, although, when the time shall be safe, and the general sentiment favourable, I shall have no objection to the removal of all restraints that may be no longer thought necessary.

Lord HOLLAND.—"My Lords, so deeply was my mind impressed with the importance of the subject now under your Lordships' discussion, that, when I first entered the House this night, I was extremely anxious to trouble your Lordships with my sentiments upon it. But when I heard the able and argumentative speech of the Noble Baron who opened the debate, I conceived it so wholly unnecessary for me to trespass on your Lordships' time, as that Noble Baron, in the course of his admirable speech, seemed to me not only to have exhausted all the arguments that could be urged in favour of his motion, but to have anticipated and refuted

every argument that could be found to bear against it. But, notwithstanding this, my Lords, some arguments have been since offered from that side of the House, and particularly by a Noble Secretary of State, so extraordinary, that not even the perspicacity of the Noble Baron could have foreseen, and therefore I shall beg leave to trouble your Lordships with a few remarks on the subject before you, in answer to such arguments urged by my Noble Friend, the Secretary of State, who has been so little in the habit of agreeing with me on political subjects, that I trust our difference on this occasion will not, more than former differences, disturb our private sentiments of esteem for each other; and from the Noble Viscount (Lord SIDMOUTH) whom I have heard this night for the first time in this House, but with whom it has been as little my good fortune to agree in politics, as with my Noble Friend (the Secretary); and, indeed, from the strange deductions the Noble Viscount has this night drawn from the occurrences that have passed since the Revolution, I do not think it likely that I ever shall agree with him: but if the doctrines laid down by both the Noble Lords were to be sanctioned by this House, they would indeed be pregnant with the most grievous calamities to Ireland, as the great mass of the people in that country would then have no prospect of ever being relieved from the grievances under which they labour. But if both the Noble Lords, and particularly the Noble Viscount, act in consistency with their own principles, if they allow themselves to be bound by their own arguments, they must vote for going into the Committee. When I heard the Noble Viscount recapitulating that dreadful code of laws which barbarized the people, and disgraced the Statute Books in Ireland; when I heard him complacently descanting upon that horrible and immoral system, and lamenting the concessions which have already been made to the Catholics, I thought, at least, he could have no objection

jection against referring the Petition to a Committee, were it only for the purpose of having those laws re-enacted, the repeal of which he appears so sincerely to deplore; but when Noble Lords speak with regret of the repeal of the Pœnal Statutes against the Catholics, will they seriously call the periods in which those statutes were enacted and enforced, periods of tranquillity? Have they contributed to banish division and discontent from the country?—Was this the state of Ireland, as justified by history? On the contrary, my Lords, have we not seen in those laws the cause of perpetual dissensions, and the means by which every discontent was apt to become rebellion dangerous to the State? The arguments that have been offered against this motion are reducible under two heads; those against the principle of removing the restrictions on Catholics, and those against the measure, not on its own account, but the time at which it is brought forward. But whatever may be the objections of the Noble Lords to the former, I cannot see the importance of their particular objections against the present time, seeing they have avowed—that at any time, and always, their objections to the principle must be insurmountable. The Noble Secretary has stated, that any man of plain understanding coming into the House, and hearing the Petition read, and the arguments in favour of it, must imagine nothing less is desired than a repeal of the Bill of Rights and the Act of Settlement, and to erect the Catholics into a complete ascendency in the Empire. The Noble Viscount said too, that the repeal of the Test Act is a minor object, compared with the claims of this Petition;—but I ask, is it a fair inference to draw, that because it may be deemed prudent to place the Catholics, in point of eligibility for admission to power, on the same footing with Protestant Dissenters, that there must be a consequent necessity for admitting the Protestant Dissenters to some privileges they do not now enjoy? To do so, may or may not be a wise expedient. On

that point I shall not now argue, but it by no means follows as a necessary consequence of the Catholic claims!—And surely, my Lords, it is a strange argument, to say, that the Catholics must be still kept under severe grievances, lest, if they were relieved, some other class of persons, with whom the Catholics have nothing in common, should ask for something else. Those, therefore, who are inclined to vote against the motion, must do so, either on the ground that the laws, as they now exist, require no alteration—or that this is not the time for it. The Noble Secretary has argued, that all nations have acted on the principle of tests—but he has forgot, that in this very House, the principle has not been pushed to the extent for which he has argued; for many persons have been allowed to sit in it who have not concurred in the religious doctrines of the Church Establishment. Those persons, indeed, may be liable to tests if they accept of offices, but they are not precluded from sitting and voting in Parliament as Catholics are. The Noble Secretary has drawn an elaborate distinction between civil rights and political power; but the whole of his inferences from the position may be answered by a single question—where could civil rights exist unaccompanied by political power? for the one must be nugatory without the other; political power, being, in fact, the only security for civil rights. Here, then, his argument, that toleration is already complete, must be obviously defective. Can the Noble Lord look at the situation of Ireland and not know that for the want of political power, to raise the great mass of the people from degradation; that for the want of political power to render effectual those indulgences which the law has conceded, many of those indulgences are vain and uselss? and I contend, that until they obtain a share of political power, the rest will be merely nominal. Much, my Lords, has been said by a Noble Viscount, respecting the great concessions made at different times to the Catholics; but

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will the Noble Viscount undertake to say, they are, at this moment, in possession of all the Irish Parliament intended they should acquire. If they are not, then gross has been the deception held out to their hopes, in obtaining their acquiescence to the Union, that their wishes could only be realized by a Parliament in this country, and must always be frustrated in that of their own. Of late, my Lords, I have not been in the opportunity of ascertaining the internal state of Ireland; but if it be such as stated by the Noble Viscount, is a grievous and wretched state indeed. Had the people nothing else to complain of, it was no small grievance that the Catholics should be excluded from all participation in legislative power; and all the eligibility to the offices and honours of the State—and if they are to be told that such exclusions are to be perpetual; then, indeed, may they truly say, that the Legislative Union with this country, was a base delusion, a rank imposition upon the people of Ireland; and as to its effects, anything but an Union. What is the principal reason why the people of this country make the greatest sacrifices for the public service with cheerfulness, but because they loved that Constitution, in the blessings and advantages of which they all share? But how, my Lords, can it be reasonably expected, that the Catholics of Ireland, deprived of that share, can love the Constitution so well, or be so zealous to sacrifice every thing in its defence? Is it not perfectly well understood, my Lords, that at the Union, they were taught to entertain the strongest reliance, that they in particular would be benefited in their political rights by the measure? And if their claims are now resisted by some of those who fostered their sanguine hopes on this point, must they not be filled with indignation? Must they not feel the sensations common to the breasts of mankind under delusion and abuse of confidence? Or, are we to wonder at those discontents and clamours which their enemies urge in argument

gument against their claims? The Catholics feel themselves degraded by disqualifications below the footing of other subjects; and it is not natural they should feel easy under such abasement. Not only precluded from legislative power, municipal office, and professional honours in the civil departments, but they labour under another grievance, equally galling to honest and honourable feelings, in their disqualifications to hold chief commands in the army or navy. This consideration has forced numberless brave and honourable men, of high talents, into the armies of other powers, and sometimes of your enemies. Many instances of this I have had opportunities of witnessing with my own eyes.—And can it be doubted that this is a hardship on the Catholic as well as considerable loss to the State? For what can be more galling to the one or more injurious to the other, than that men attached to the military profession, and debarred by their religious tenets from rising to rank in their own country, should be forced to devote their services in the armies and navies of other nations, where their religious tenets form no impediment; and eventually to employ their skill, and draw their swords against their country, while they deplore the narrow and fatal policy which has condemned them to a duty repugnant to their feelings, and natural affections? But surely, my Lords, it is a most severe grievance that Catholics are deemed incapable of rank and distinction, in a profession, when they are deemed so valuable as in military life. But this is not all; for even as common soldiers, the Catholics who crowd the ranks of the regiments in Ireland, as the law of that country now stands, are allowed the full exercise of their religion. But move them across the Channel and it is no longer so; for in this country a positive statute compels them to repair to a house of worship, with whose forms they are wholly unacquainted, and debars them, under pain of the severest punishment, from professing, or attending the worship

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of that religion in which they have been educated: and even officers of the same religion, the moment they set foot on English ground, become not only liable to forfeiture of their commissions, but to enormous fines at law, if they presume to attend the worship of their own church. Were it only to preserve consistency in the laws such gross contradiction should be corrected. These, surely, my Lords, are grievances that weigh oppressively on every rank and class of the Catholics in Ireland; and can it be said, that a Petition, the object of which is, to remove them, is fit to be declared unworthy of consideration? Is it not a little curious, my Lords, to observe the contrariety of objections urged against this measure? One Noble Lord says, the great body of the Catholics don't complain at all—another Noble Lord says, they complain too much; the inference from which is, that it would be in vain to attempt the conciliation of people who it is impossible to please. In corroboration to this inference, the authority of the Irish Revolutionists, *Arthur O'Connor* and *Doctor M'Nevin*, is adduced to shew, that Catholic emancipation would not please the United Irishmen. But is the authority of those perons conclusive with your Lordships in every other part of Irish affairs? Do your Lordships believe, that, granting the wishes of the people of Ireland would not take out of the hands of those who want to separate the two countries, those instruments for misleading the people which they have used with success? It was not until the multitude were persuaded that Catholic Emancipation and Parliamentary Reform could never be attained by legal means, that many, at last, in despair, plunged from disappointment into treason and rebellion. It is said, my Lords, that the present system of laws, including the restrictions and disqualifications of the Catholics form one of the principal outworks of the Constitution, and ought to be maintained. But, my Lords, I ask, is not Ireland itself an outwork to this country? an outwork too, which, if taken, would

leave this country bare, and expose her to every danger. Is it not then peculiarly for the defence of this country to strengthen this outwork, by conciliating the people who occupy it. The Noble Viscount has alluded to the Revolution of 1688, and the conduct of JAMES II. and said much of the share which the preservation of the Church and the hatred of the Catholic Religion had in promoting that glorious Revolution. But was it on account of the religion JAMES professed that the Revolution was effected? —or, had his various acts of despotism, no share in producing that event? Was it to compose religious differences and scruples of conscience that the Prince of Orange came over? My Lords, if such were the sole causes of that Revolution, if such were the sole motives for the introduction of that great prince, then, indeed, the triumphs which this country has always so proudly boasted in that event, and the admiration in which I and every free-minded Englishman have contemplated the glorious character of that illustrious monarch must suffer most considerable diminution. But, my Lords, I can never admit so pitiful an imputation upon the good sense of that monarch, and the spirit and discernment of the people of England in that day. It was the arbitary principles, as well as the religious bigotry of JAMES which provoked the indignation of this country. It was their civil as well as their religious liberties which the nation rose to assert, and thereby effected the Revolution. My Lords, it has been said by one of the Noble Lords, that the admission of Catholics into Parliament would give them an eventual preponderance in legislation. Possibly such an argument might be properly applied to the Parliament of Ireland, but it must be totally inapplicable to the United Parliament, constituted as it is of 658 Protestant members—and in which, by no possibility could the Catholic interest in Ireland produce such a return of members, as to give any preponderance to their influence;—and, if there

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was any one argument in the opening speech of the Noble Baron more particularly unanswerable than another, it was that, in which he proved, that on the most exaggerated view of the increase of the Catholics, it is impossible that by their restoration to political rights, they can ever form a majority in either house. Indeed, it is clearly obvious, that their numbers in either house must be always exceedingly small. How then, I ask, can there be any rational ground for those apprehensions as to the security of property—or the resumption of ancient forfeitures, so ominously predicted to result from the future influence of this visionary Catholic ascendancy? Beside, my Lords, is it to be expected that the Catholics, if they are admitted to seats in Parliament, would always act with such steadiness, as that none of them would be subject to influence or the temptation of a place? Similar arguments were urged at the time of the Union with Scotland. The natives of that country were at that time, and for a long while afterwards, from the nature of their religion, supposed to have a bias in favour of the popular part of our Constitution, and to be disposed to the extreme of popular liberty: yet, it never has been perceived that they manifested any great disposition, either in this House or the other, as far as I have heard, to propagate any such principles. And if any latent spark of that disposition remained in the people of that country, it is not unreasonable to suppose, that it would have been elicited by the French Revolution; which, however, never appeared to be the case. And as little reason, my Lords, appears, to my mind, for supposing that the Catholics, from any tendency in their religious opinions, are very likely to become formidable opponents to our Constitution in Church or State. But Noble Lords have said, if you grant to the Catholics the prayer of the Petition, how are you to know that it will fully satisfy them, or to say where they will stop? May they not then come forward with some new demand?

Why, my Lords, the same argument may be urged against every species of appeal for the redress of grievances; and if it is to be admitted, we may as well close our doors against such appeals altogether. But I would be glad to know how Parliament deprives itself of the power and discretion to grant or refuse the prayer of this Petition by consenting to refer it to a Committee? But instead of refusing what the Catholics now ask, it is a policy imposed on us by necessity, to grant it—and conciliate them by a measure that would unite and attach so large a portion of the Empire zealously for its common defence. It has been stated, against the Petitioners, that they wished to be relieved from a test which only binds them to declare they are not traitors;—but surely, my Lords, to call upon any people to say so of themselves, is, at least, paying them no great compliment. On the contrary, must it not be extremely hurtful to their feelings, as a particular sect, to be called on for a test demanded of no other? If all were equally obliged to the test, it would be felt to convey no particular insult to the Catholics. The Noble Lord who spoke last has deprecated the time at which the Petition is brought forward; and says, he will vote against it because he thinks it has no likelihood of success, though he approves its principle. My Lords, this is a species of reasoning and argument which I confess I do not understand; but, I trust, the vote of the House this night will convince the Noble Lord that he has been mistaken in that as well as in other sanguine expectations. Upon what ground the Noble Lord has made the assertion, I am at a loss to know. It surely cannot be forgotten that the same Right Honourable Gentleman who once retired from office, expressly because he could not carry the Catholic question in a certain exalted quarter, and declared he never would return to office until he could, is now again in power; and if this moment of war and difficulty be an unseasonable time for the measure, was not

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the moment when that Right Honourable Gentleman formerly quitted his office, because he could not carry it, equally a moment of war and danger? Are not the enemies' fleets at sea? Is not Ireland threatened as much with invasion now as it was on the former occasion? and is not the measure, as peculiarly and forcibly as ever, called for at this moment, to conciliate the inhabitants of that country? I am not surprised, however, at the resistance to this measure given to the Noble Lord who succeeded that Right Hon. Gentleman in his high situation, and who went into office expressly, as he himself has declared, upon the condition of resisting all farther concessions to the Catholics. Oh! but, says the Noble Secretary of State, it would be the height of imprudence to consider their claims now, when the greatest part of Catholic Europe is under the influence or dominion of France! This, my Lords, is indeed a curious argument. So that, because a certain portion of those countries professing the Catholic religion are under the controul of France, you are to refuse his Majesty's Catholic subjects in Ireland the liberty they solicit. This indeed might be a good argument for ceding what they wish, and granting them the full benefit of the Constitution; but it is the worst of all bad arguments for withholding those benefits. It is always a mortifying grievance to the people of any country to find themselves excluded from any of the rights belonging to the constitution under which they live. The policy of King William was always to extend toleration; and one of his strongest reasons for lamenting the severities to which the Catholics were subjected was, that they tended to augment the power of Louis XIV. then the head of the Catholic body, a trict of which policy in our glorious Deliverer I will now illustrate from an historical work in my hand, (Bishop Burnet's History, from which the Noble Lord read a passage.) The conduct of our Government is directly the reverse. So far from giving to Catholics a real toleration,

leration, the policy of our Ministers is to defeat the toleration allowed by law. But until some share in political power be added, the Catholics never can maintain what has been conceded to them, nor rise above the degradation in which they have been held. Now, my Lords, is precisely the time to shew the Catholics of Ireland, that they can expect nothing from Catholic powers so advantageous, so satisfactory as the liberality and justice of the British Legislature can bestow. This, my Lords, would effectually prevent them from lending an ear to any suggestions which Catholics, the enemies of this country, could propose to them. Besides, my Lords, it ought not to be forgotten, that the situation of the Catholics is the more irksome and disgusting, because they are held in an insulting inferiority by their own countrymen, a situation that must outrage their feelings infinitely more than subjection to strangers. It is time to put an end to this source of jealousy, and by admitting so important a part of the population of the empire to participate completely in the Constitution, to unite them sincerely in the interests of the country. In short, my Lords, if the laws against the Catholics are not repealed, it is impossible that things can remain long on the footing they now stand in Ireland. The history of that country, as well as of every other, clearly shew, that those Governments that will not concede must coerce; and, I ask, is it possible that during a struggle like this, while our most formidable enemy is so aggrandised, and menaces us at all points, that we can spare one part of the strength of the empire to keep another in subjection? That such must be the alternative, every one who looks at the state of Ireland and of Europe must perceive; and, my Lords, I now put it to the good sense, to the wisdom, to the sound policy of this House, whether such a wretched and dangerous course is to be preferred to the enlightened policy which would heal all discontents, and leave the whole

whole strength and resources of the empire disposeable against the common enemy. I shall now conclude, my Lords, apologizing for having taken up so much of the time of the House, and declaring, that I never, in the course of my public life, voted with greater pleasure, upon any occasion, than I do for the motion of the Noble Baron."

Earl CAMBDEN spoke in so low a tone, as not to be distinctly audible below the bar. The Noble Earl said, that during the time he had the honour of being placed at the head of the Irish Government, the actuating principle of that Government was to make every concession to the Catholics as might be deemed fairly and fully necessary to their happiness, the protection of their property, and the free exercise of their religion, consistently with the security of the Protestant Establishment. With this view, the question had undergone the fullest discussion in the Irish Parliament; and it was ascertained beyond the shadow of doubt, that the sense of that Parliament was most decidedly against any further concessions being made to the Catholics; and under all the circumstances of the case, as so fully stated by other Noble Lords who resisted this motion, he did not think it expedient to comply with the prayer of the Petition, but considered even the discussion of the question at such a juncture, highly impolitic.

The BISHOP of DURHAM.—"My Lords, the question has been so fully discussed, and many of the sentiments I entertain thereon so fully expressed by other Noble Lords who have preceded me in this debate, that I shall feel it unnecessary to trouble your Lordships at any great length upon the subject. My Lords, we know that a very great majority of the population of Ireland are Catholics, and are now in the full possession of the elective franchise; and that if we acceded to the prayer of this Petition, the natural consequence would be, that the great majority of the representation of Ireland must very shortly be Catholic also. It is but fair to

suppose

suppose the Catholics of Ireland would prefer representatives of their own religion, before those of ours, and will, on all occasions, give them the support of their numbers, to the exclusion of the Protestant candidates. But, my Lords, in whatever measures of liberality it may be desirable to indulge the Catholics, we must not forget that it is highly essential that we should preserve inviolable the Protestant Establishment in Church and State. Consistently with this principle, my Lords, it would be my wish to carry toleration towards the Catholics to its utmost extent, and to act to them in all respects in that true spirit of Christian charity, so eminently characteristic of the religion we profess. It is by toleration she has preserved that harmony amongst Protestants of every sect, the want of which has been often fatally experienced in other nations of Europe. Religious toleration is not only congenial with the spirit, but enjoined by the principles of the Church of England; but the safety of that Church is not to be put to risk by granting political power to so great a mass of people hostile to its establishment. On these grounds, my Lords, it was that I have been led maturely to consider whether we can consistently with perfect safety to Church and State, now grant what the Catholics ask? If I thought it were safe, I should be one of the last to resist the wishes of the Catholics. If this were a measure necessary to the comfort, the happiness, or the rational liberty of the great mass of the Catholics, I should feel great unwillingness to oppose them. But, my Lords, I am persuaded, that the proposition now before you, if conceded, would have no such tendency: its only operation would be to increase the political influence of the higher orders, and to extend the power of their Clergy, who already possess too much. I cannot, my Lords, accede to the policy, the justice, or the fairness of admitting the Catholics to those powers in the State, which their Petition claims, while they refuse to take those

those tests indispensibly required by law from all his Majesty's Protestant subjects. The Petition, my Lords, in no degree professes to have any concern, interest, or view of amelioration towards the great mass of the Irish Catholics: it is only the claim of a few individuals for political power, which, in my view of the subject, cannot be constitutionally granted; and which, even if it were granted, could not, according to the arguments of Noble Lords who have so zealously advocated this Petition, confer upon the claimants any very material advantage. But, I would ask, if this Petition were granted, where is the security that toleration to our Protestant brethren in Ireland would long continue? My Lords, if amelioration to the state of the Catholics of Ireland be the real object, and I agree that it is a most desirable one, a much better expedient for that purpose would be to extend the benefits of education to the lower orders, and to promote amongst them the advantages of civilization, useful industry, and social intercourse, with their peaceable and well demeaned fellow-subjects; and to those objects it is extremely desirable that the attention of the Legislature should be directed, as the modes of promoting harmony, contentment, and social order in that country, rather than any measure for gratifying the ambitious views or the anxiety for power amongst a few wealthy individuals of that sect. To such a measure, my Lords, I feel that decided resistance is essential to the preservation of Church and State, and more particularly in Ireland. I therefore hope that a British Parliament will never make a surrender which would in fact be to give up the security of that Constitution, which, in my conscience, I believe to be the best constituted in the world.

Lord REDESDALE.—" My Lords, the candour and moderation with which the Learned Prelate who just sat down has discussed the subject, reflects the highest honour upon his character,

and the venerable station he fills, and I fully coincide with him in every word he has said. It becomes necessary, however, that I should trespass a little upon your Lordships' attention, in expressing the opinions I hold on this subject. The question now before your Lordships is, whether you will go into a Committee, to consider the propriety of granting the prayer of the Petition. The Noble Baron who introduced the motion, has said, it is for the purpose of considering the claims of the Catholics; but, I apprehend, if the Noble Baron had stated the fact more explicitly, he would have told your Lordships, it was to grant the Catholics the whole of their claims: for he has declared that nothing short of that would gratify the claimants, while the Petitioners themselves declare that nothing short of an equal participation of rights and power on equal terms with their Protestant fellow-subjects, in Church and State, would satisfy them; for if you grant them what they ask, they will have it in both. But, my Lords, if such a demand were to be complied with, I am convinced the Constitution in Church and State could not long survive; for what do they in reality ask, but to be relieved from all tests by which every other class of his Majesty's subjects are bound. This is plainly insinuated in the Petition on your table, and is the language publicly held by the members of that body in Ireland. If your Lordships will have the goodness to recollect for a moment what is the situation of the Irish Catholics, you will find it totally different from that of Catholics in any other Protestant State of Europe. They enjoy as free an exercise of their religion, as full a protection to their liberties and properties, as complete a latitude in their education and civil rights as any part of his Majesty's subjects; and, in fact, their only impediment to any remaining privilege or eligibility that can be granted to them, consistently with any security to the State, is that test by which all other branches of his Majesty's Protestant subjects are bound.

bound, and which they refuse, because they acknowledge that Supremacy, which belongs only to his Majesty, to exist in a foreign power. They have been loosed from almost every restriction it had been found necessary to impose on them since the Revolution, and all they now want is the power of the State, the possession of the Judicial Benches, and that the revenues of the Church should be transferred to their Bishops, as the head of the Catholic Church in Ireland. The whole tenor of their conduct since the Revolution evinces these to be their objects. If the claims of this Petition, then, were granted, something further must be also done, and the Legislature must repeal the *fifth* article of the Union Compact, by which it was settled, that the Established Church of Ireland and England were to be one and the same, and make the Roman Catholic Religion the Established Church of that country. For, to accede to the demands of this Petition, would, in fact, be to take from the Established Hierarchy of Ireland their revenues, and surrender them to the Catholic Bishops. This is the true object of those Bishops, and they will never be satisfied without it. The Protestant religion of the country must be subverted, and that of the Catholic set up in its place. Nor would the Catholic Hierarchy stop here; they will go much further, nor cease till they shall have effected a separation of Ireland from England; and this I know to be a favourite object with many of those men in that country, and such I know to be the prevailing apprehension amongst the most intelligent Protestants in Ireland. Upon this ground, therefore, my Lords, I most earnestly deprecate the proposed measure.

"Your Lordships have been referred by a Noble Lord to the case of Scotland, and the establishment of Presbyterianism by law in that country. It certainly was, my Lords, by solemn compact at the Union with that kingdom, and under it the laws and government are administered, without any rival

religion to cope with it for superiority. But if the same were to take place in another country respecting the Catholic Religion, as this Petition in effect proposes, many of your Lordships would not now be here. It was, indeed, apprehended at first, that the establishment of Presbyterianism in Scotland would have effected the Protestant Establisment in this country. This, however, was not found to be the case. But a very different argument must be applied to Ireland; for while in Scotland the number of Catholics, compared with those of the Established Church, are in comparison extremely few, in Ireland the number is three times as great as that of the Protestants, and consequently so great a superiority in numbers must speedily have the superiority in power, if this Petition were granted. Beside, my Lords, by the Test Act, every man of the Scotch religion, who accepts of power or place in England, is obliged to take the sacrament according to the rites of the Established Church here; and, therefore, all those Scotch placemen to whom the Noble Lord has alluded, as holding place in this country, were literally members of the Church of England, and took all those tests which the Roman Catholics refuse, while they require to be admitted to all the offices of the State, free from any test, and put on equal footing with Protestants, who take all. I ask, my Lords, whether such a distinction in favour of Catholics would be consistent with common justice or common policy, or to require of one class of subjects a test of qualification, which another class, claiming equal privileges, refuse to subscribe? I ask, whether such a proceeding would be in any degree consistent with the policy which governed our ancestors, any more than with our present security. Another point material for your Lordships' consideration is, that the Catholic clergy and laity of Ireland are to be considered in quite distinct points of view. The clergy are a great and compact body, who are in all respects the rivals

of

of the established Clergy of the land, whom they avowedly consider as usurpers *(No! No! No! No! from the Opposition Benches)* I say Yes! Yes! and I assert that the most Reverend Prelate now on that Bench (Archbishop of Armagh) is styled by them to this day Doctor Stuart; and it is notorious that the Irish Catholic Clergy will not allow any Protestant Bishop to be the lawful successor of the Catholic Bishop of Armagh, or any of the ancient Bishops of the country. They assume amongst them all the clerical dignities and titles of the established Clergy, even in the Catholic Petition to the House of Commons of Ireland, they assumed those titles in open defiance, and gross insult to the laws of the country; and there was but one man in that assembly who had the spirit to notice this gross and insulting violation of law. They assume all the powers of the Established Church, and they enforce, by the most coercive means, obedience to their mandates, namely, by excommunication: and I have known an instance, where a worthy and humane clergyman of the Established Church, was obliged to send food from his own table, to feed a man under a sentence of this kind, who was deserted and shunned by all his acquaintance, and whom none dared even to converse with, through the terror of their clergy. Another instance of their vengeance against a poor man, reached my knowledge; he was excommunicated for having the banns of his marriage published in a Protestant Church, and the marriage ceremony performed, according to law, by a Protestant clergyman. The persons named were summoned to appear before the Catholic Vicar-general of the diocese. The Protestant clergyman consulting the peace of the parish, and, perhaps, his own safety, advised the parties to submit, and make any amends in their power;—but, no! the Catholic vicar of the diocese was inexorable to all apologies. But this was not all; for such as should hold any communication with them were to be excommu-

communicated also. The man, however, being a person with whom many held communication—it was reported to the Bishop, and above two hundred persons, men and women, were summoned from a distance of twenty miles, to answer for their contumacy—they obeyed: but, some how, the Bishop was so appeased as not to impose upon them the sentence of excommunication. He, however, inflicted a pennance, and they received absolution upon the condition, that each should take a pilgrimage of thirty miles round the country, from one place called an Holywell to another, with a label on their breasts, specifying the crime for which the pennance was imposed. Things of a similar nature frequently happen in Ireland; and such are the fears they inspire, that the influence of the clergy is almost unbounded. I do assert, that there is much greater power exercised over their community by the Roman Catholic clergy in Ireland, than those of any other nation in Europe. Before the Reformation, this power was under some controul of the laws; but from that time all controul has ceased, except through an appeal to Rome; but what persecuted Catholic will resort to it? They dissolve marriages without any lawful authority, on account of consanguinity, and often in a way to affect the legitimacy of children, and their birth-rights, in succession to property. After the Revolution, in that part of Ireland not subject to English law, the Roman Catholic Bishops retained their sees and revenues. In the reign of Elizabeth they were in some degree reduced; many were restored in the reign of Charles I. but the army of Cromwell crushed them; and from that time to this they still retain the titles, in the same denominations as the Protestant clergy, contrary to law. They are a body, too, who tyrannize over the rest of the Catholics, differing from all the rest of Europe; nor can any peace be kept in Ireland so long as they remain unabolished; for to their influence is owing all the misconduct of their flock. The state

of

of the Roman Catholics in England is quite different, as I have witnessed in parts of the country where I have lived among them, and where, if any difference was distinguishable in their conduct, it was that they were the best behaved men in the country. In Ireland it is quite the reverse. The relaxation in favour of the Catholics of this country was in consequence of their good behaviour; but those of Ireland, on the contrary, boast that they obtained their objects by their energy and perseverance, and will persist in the pursuit until they finally attain their ends. It is in human nature that those persons should be eager to possess the revenues belonging to their titular rank. I see something in that Petition like disclaiming such objects. But have any of the Roman Catholic Hierarchy disclaimed it? It is my wish to give to the Catholic community in Ireland, every fair indulgence that can tend to promote their tranquillity; but the very first step to this should be the abolition of the Catholic Hierarchy. This I hold to be indispensibly requisite to the quiet of the country. In other countries of Europe, 'tis said, Catholics possess every right and privilege, whether the Government be Protestant or Catholic. This, however, may be the result of treaty, or compact, in the conquest or cession of territory; but the case is totally different in Ireland. If the Catholic Hierarchy were abolished, something might be done to conciliate the Catholic body; and to the generality of them, I am confident, the abolition of the Hierarchy would be a measure extremely grateful. I have heard of a province, where the inferior clergy, one and all, deprecated the appointment of a bishop amongst them. In Canada, where the Roman Catholic religion was established by treaty, the clergy and people desired no more than the exercise of their religion, but expressed great sorrow when a bishop was sent to preside over them. I am persuaded, the abolition of the Catholic Hierarchy in Ireland would extremely gratify that community;

munity; and I know many reputable and intelligent Catholics in Ireland who have told me they would be glad to get rid of them. One thing is certain, that no information can be got from individuals of the community, so long as the influence of the bishops prevails; for they forbid all intercourse with Protestants. A reputable person told me, some time ago, he was prohibited such intercourse under pain of excommunication; and the Catholic servants of a gentleman in my own neighbourhood, were obliged, by their clergy, to quit him, because they had joined the family in prayer. Dr. Hussey, a Catholic bishop, gave no other reason for this conduct than that the prayers were read by an heretic; and this learned and liberal Doctor, who was afterward actively concerned in that Union formed in Ireland, under the auspices of France, and having for its object, separation from this country, issued orders to all the parish priests of his diocese, to guard against such practices in the future. If order were established in that country by the means I suggest, the Catholic community would appear in a very different light; the place of the bishops might be filled by persons not exactly in the capacity of their successors, but as superintendants of districts. I know, that among the higher order of Catholics there are two different sects, the one the ancient families, who possess hereditary fortunes; the other, new men, who have obtained wealth, of late, by other means. Of the former, I know many worthy men, and particularly a Noble Earl, than whom I know no gentleman of more distinguished loyalty or moderation when left to himself; but the influence of others has sometimes a tendency not redounding much to the amiability of his character; the other sect are those the most anxious for political power and influence. Whatever may be done for the Catholic community, in the way to which I allude, the proposition should come from the Catholics themselves, whenever they feel disposed to part with their

their Hierarchy. That change produced, many concessions might more safely follow. Then, and not till then, can you make any farther concessions. In every well-governed country it is necessary that the political power should be in the hands of those who possses the property; and this is the reason why you have excluded from power persons having no property; otherwise, if power was in the hands of the majority, property would soon change hands. This will be the case if you grant power to the majority of a population hostile to your establishment; for in proportion to their number, so will be their eagerness to obtain power; and though there might be no danger in England from such an arrangement as is proposed, yet in Ireland the case is quite different, where the numbers are so much greater than the Protestant, and where the object would certainly be to make the Roman Catholic the Established Religion. You cannot therefore grant those claims, without violating your pledge to the Protestants of Ireland, to the Constitution of the country, and the Family on the Throne, or from the positive law of our ancestors, which positively excludes Roman Catholic successors to the Throne. My Lords, a similar principle has prevailed in other countries, where the succession is by law required to be Protestant. The late King of Sardinia complained that his subjects excluded him from the throne, without asking him whether he was willing to change his religion from Catholic to Protestant? But he was excluded in the first instance, because a Roman Catholic; and upon the same principle it is, my Lords, that the Government of this country cannot be executed by Catholics, according to the law, which has settled that the powers of the Government are to be vested only in a Protestant King and Protestant Establishment of both Church and State. With respect to the Roman Catholics of this country, my Lords, I have had long intimacies with many most respectable families of that persuasion; and from what I know of them,

I should be chearfully disposed to extend to them every degree of toleration consistent with the security of a Protestant succession. Some years ago it was in contemplation, in 1778, to make some concessions to the Catholics of England, and in order thereto an oath was proposed to them, by way of test, binding their allegiance to his Majesty, his heirs and successors: but the words *being Protestants*, were objected to by some of their clergy, and it seemed hard upon Catholics to bind themselves against a Catholic King, if such should ever succeed to the Throne. However, the Catholics themselves, notwithstanding the objections of their clergy, observed that the oath as it stood, without the words which all Protestants were bound to, was a mere mockery, and they proposed to take the oath in its full and usual form as they would have taken on the first instance, but for the influence of their clergy, which unfortunately prevailed at the moment, and they themselves in many instances complained of the tyrannical cruelty that obliged them to refuse it. Some alterations were even proposed to them, but they said they would not abandon an *iota* of the oath to which they had pledged themselves; and their Apostolical Vicar, to avoid creating schisms amongst his flock, agreed to it. But Dr. Hussey, whom I have before mentioned, not only preached, but wrote a pamphlet in Ireland, against the oath, in which he argued, that it would be monstrous to call upon Catholics to swear that they would not be faithful to a British Sovereign, if that Sovereign should happen to be of the same faith with themselves, and in consequence of this, the Irish Catholics refused the oath. I could, my Lords, state many other instances to shew, that a material difference exists between the political sentiments of the English Catholics, and those of Ireland, although their religious faith be one and the same, and liable to the same influence from the Pope of Rome, which, if we consider the notorious

notorious influence now maintained over that person by the French Government, must be an influence highly dangerous to these countries.

" My Lords, the reasons why the great majority of Irish population is at this day Catholic, is owing, in my mind, to a defect in the measures which have effectually tended to promote the Reformation in this country. The service of the Established Church being always celebrated in English, and its sermons preached in that language, consequently, in much the greater part of that country, when until of late years Irish was the language universally spoken amongst the lower orders, neither that service nor those sermons could be understood. There was, however, a striking example of the progress of the Reformation in Wales, where scarcely a Catholic is now to be found. There the natives, not understanding English, the Bible and Common Prayer were translated into Welch for their use, and sermons preached to them by their clergy in that language; the consequence of which was, the whole country became speedily Protestant. But in Ireland the common people scarcely understood a word of English, but from the nature of their education were well acquainted with Latin, in which the service of their Church is always celebrated. Perhaps if some such measure had been adopted toward Ireland, the Bible translated into that language, and sermons preached to them in it, many thousands would have long since been converted to Protestantism, who have remained Catholics. It is my earnest wish, my Lords, to conciliate, as far as possible, the community of Catholics, and to convert as many of them as possible to the United Church: but the state of that Church, I am sorry to say, is not such in Ireland as to promise any sanguine hopes of such an event at any early period. There are in Ireland, I think, 2,400 parishes, which are reduced to 1,100 livings, of which number only 600 have residences for the clergy, and not above one third of them

have churches. The defect, therefore, was in those who have neglected to make better provision for the church. There are a vast number of those parishes which are very excellent and productive livings, and are without a church, a glebe house, or a single Protestant, and yet these livings are very eagerly sought after amongst the Protestant Clergy as sinecures. If these deficiencies were removed (and the means are within view,) and care taken to propagate the Protestant doctrines, there can be little doubt the success would be rapid in a very short time. Another thing must also be done; namely, to make it safe for a Protestant to reside in those districts, many of which there are in Ireland, in which no Protestant but a man of fortune and influence dare take up his abode, without risque to his life, or at least danger to his person. Nay, there are very extensive tracts in that country on which there is not even a Protestant day-labourer to be found; for if any such should venture to live there, he would immediately have his ears cropt. The great defect is, that the law has never been fully carried into effect, and the Catholic Bishops are entirely the cause, as by their influence they excite antipathies against the laws and against the English, thereby keep alive divisions, in order to prevent the desertion of their followers. All Protestants are described by them as Heretics, and Englishman and Heretic are in their language synonimous terms. In fact, no Englishman or Protestant can be safe in Ireland, if the prayer of this Petition is granted, except, indeed, in the North, where the Protestants are more numerous, and consequently protection more certain to British and Protestant inhabitants. As a further proof of the implacable antipathies and intolerant spirit towards Protestants inculcated by the Catholic Clergy into the minds of the lower orders of their community, it is a well known fact, that Protestant servants are driven from Protestant families, as the Catholic servants, who are always most

most numerous, will not suffer a Protestant to live amongst them. I myself know a Protestant Bishop who was obliged to dismiss all his Protestant servants, as he could get no Catholic servants in that part or the country who would live with them.—Even the poorer order of Protestants in the city of Dublin cannot get their children apprenticed as servants in the families of Protestant gentleman on this account, and are therefore obliged to rear them up to handicraft trades. For this state of things, my Lords, there can be no effectual remedy so long as a Catholic Hierarchy are suffered to rule there. Nor will that Hierarchy ever be contented, if you accede to this measure, until they are in possession of the revenues as well as of the first dignities of the church; for having got the length of this measure it is not to be supposed they will rest satisfied without going much farther. My Lords, I put this question to one of them. How can you hope to succeed in obtaining the objects you seek?, and his answer was, "the same perseverance that obtained for us all the rest will procure us this also." This, my Lords, was also the language of a counsel of their religion, who, I fancy, is pretty eminent at the bar, and whose name I observe as signed to that petition. My Lords, I again assert that so long as the Catholic Hierarchy are unabolished in Ireland, you must consider the great bulk of the Irish Catholics as not amenable to the laws. My Lords, those men always did and always will resist the laws. To them it is owing that the reformation has made so little progress, and to their influence all the ruinous consequences that have followed in Ireland. My Lords, though you must necessarily keep a strong hand upon the Catholics of Ireland, it does not follow that you should abandon the Protestants of Ireland. I have no objection, my Lords, to any reasonable or safe measure that can tend to conciliate the Catholics. To conciliation I have ever been a Friend. But I cannot consent to such

such a measure of conciliation as that proposed by the Noble Baron. My Lords, I will never be deluded under the term of *conciliation* to transfer the political power of the State into the hands of Catholics, or to increase the power of that Hierarchy, already too great, and from which the Catholics should release themselves: But until they are put into a different situation, until they cease to be slaves to that body who made them so, you cannot think them worthy to participate fully with you the privileges they seek.

The LORD CHANCELLOR, observing the lateness of the hour, (two o'clock) declared that he thought it would be more convenient to their Lordships to adjourn than to continue a debate which was likely to engage their attention several hours longer.

Lord HAWKESBURY had no objection to the adjournment, provided the question was put specifically as to the time of resuming the debate. If it was put in general and indefinite terms, it should have his decided negative.

Earl DARNLEY proposed that their Lordships should adjourn the Question to Monday next.

A Division was then called for, but their Lordships did not divide.

On the doors being opened for the re-admission of Strangers,

The Earl of LIMERICK was on his legs speaking against the motion, which he opposed at considerable length, and upon the same general grounds of other Noble Lords, who argued that the concessions claimed by the Catholics were repugnant to the principles of the Constitution as established at the Revolution, and would be subversive of the Protestant establishment in Ireland, and consequently lead to a separation of the two countries. But whatever might be proper at other times, and under other circumstances, in the opinions of other Noble Lords, he had vainly hoped that on the inexpe-

diency

diency of bringing the measure forward at this time, there could be but one sentiment entertained. With respect the late rebellion in Ireland, it was certainly true that many of the principal persons concerned in that business were not Catholics. Lord Edward Fitzgerald was no Catholic, Mr. Emmet and Mr. Tone were Protestants, and General Arthur O'Connor himself was a deacon, sworn in the presence of the Noble Earl's father; but those circumstances were not sufficient to establish with him the innocent intentions of the adherents of the Romish faith.

Earl CARYSFORT, as soon as his Lordship concluded, pointed out to their Lordships the great impropriety of either continuing the debate to a most extraordinary late hour, or else coming to a division without hearing the sentiments of many Noble Lords who wished to deliver their opinion on the subject. In this he was supported by Lord GRENVILLE, the Marquis of BUCKINGHAM, and Earl DARNLEY.

Lord MULGRAVE was against the adjournment past this morning.

The Earl of DERBY thought Monday would be most convenient to many Noble Lords who had other duties to attend to.

Lord HAWKESBURY then agreed to the proposition.

The question was then put and carried *nem. dis.*

Adjourned to Monday.

MONDAY, MAY 13.

The order of the day being read for resuming the debate adjourned from Friday last,

The EARL of SUFFOLK began.—"I rise, my Lords, to state the sentiments which occur to me, on the best consideration I have been able to give this important question; and in support of the vote which I this night mean to give. My Lords, if I rightly understand the Petition on your table, it goes

to

to the claim of measures which become necessary to the relief of a great body of his Majesty's Catholic subjects in Ireland, from certain restrictions and disabilities under which they still labour on account of their religion. And, my Lords, I consider that claim not as of a boon, but as of a right which every British subject in this united kingdom should enjoy as his birthright, who is not dis-entitled thereto by any thing exceptionable in his principles, his character or his loyalty! If I considered it as a boon I should still say to your Lordships—grant it to them—liberally and generously now, rather than at a future period, when the justice of the claim and the policy of acceding to it, will force itself upon your Lordships' wisdom; and therefore, let it rather be granted now, and with the appearance of liberal concession, than at another period, when it will have that of being extorted from you. Much, my Lords, has been said with respect to the expediency or inexpediency of the time for conceding those claims. In my opinion, my Lords, this is the best possible time. We are, this moment, and for some time past, have been menaced on all sides by a vigilant, daring, implacable, and adventurous enemy. His fleets, we know, are this moment at sea, with the design of some desperate and hostile attack against the British dominions—and we know not the moment when, or the place where, he may effect a landing on some of our coasts; or, whether in Ireland or the West-Indies. At such a moment, my Lords, four million of his Majesty's Catholic subjects are suppliants at your Bar, for a full participation in those constitutional rights, in which it is our glory and their anxious desire to participate, and which they will then be thus forcibly attached to defend and join in the common cause for our common safety. Is it, or is it not, then, wise to secure their attachments, to unite their hearts and hands with our own against the common foe, and to maintain inviolable our common country? It has been said, by many

Noble

Noble Lords, who have spoken on the other side of this question, that enough has been already granted to the Catholics, that you cannot grant more with safety to the Constitution; and that you ought to make your stand here. I do not agree with those Noble Lords, for, in my mind, if you do not grant to the full extent, you do nothing, to secure the affections, and the cordial attachment of the Catholics. The whole course of your measures toward the Catholics, for a series of years, has been only preludes to their final and complete Emancipation. If it is not to be granted now, you disappoint the anxiety and the hopes of the Catholic mind. You have taught them to expect it by the whole course of your policy, and by your successive relaxations of the pœnal code, in their favour. They have looked up with earnest expectation to the event—they have polished their education, they have enlarged their understandings: and if it is now withheld, he knows little of the human mind that cannot anticipate the most deprecable consequences from the refusal.

"My Lords, I now proceed to answer some arguments which fell from the Noble Secretary of State in the course of last night's discussion. My Noble Friend (Lord GRENVILLE) who introduced this subject, very properly, in my mind, deprecated every species of warmth and intemperance, on discussing this question, and a speech more moderate, more cool and dispassionate than his own, I never heard within these walls. But the Noble Secretary of State commenced his speech with a degree of heat and vehemence, which from him I should not have expected, and such as was but ill calculated to procure attention, or give weight to his reasoning. But I appeal to the House, if, in the course of his speech, he stated any one argument which the Noble Baron did not anticipate and refute. A speech so fraught with justice, with truth, with sound argument, as that of the Noble Baron, must, I think, have carried conviction to the minds of your Lord-

ships, and would, I should hope, induce you to accede to his proposition, '*magna est veritas et prevalebit.*' The Noble Secretary of State accused the Noble Baron with using threats to intimidate this House into compliance with the measure; but the Noble Baron so immediately contradicted the assertion, as to make it unnecessary for me to say anything on that head.

"My Lord, the Noble Secretary has said, that there was no pledge in terms held out to the Roman Catholics, at the time of the Union, that this measure should pass. My Lords, I beg to know, then, when were those terms held out? for certainly there was a strong expectation universally entertained upon the subject, which must have had strong grounds some where; and if it was not for the implicit acquiescence of the Irish Catholics, upon the ground of such an understanding, you could not have carried the Union. And, I ask, if this was not the measure held out to secure the acquiescence of the Catholics to that Union? What other boon has been granted to the people of Ireland since the Union? None! that I know of, but additional taxes, and sending abroad a great part of the army that was for their defence. A Noble Lord, whom I do not now see in his place, has said the measure could never be granted consistently with the safety of the Constitution; and other Noble Lords thought that some future period would be more applicable. My Lords, I think the properest time is now, and that there should be no longer delay, because, if you refuse the measure now, what is to be said of the future strength to your navies and armies—more than a third of which are manned by Irishmen—much the greater part of whom are Catholics: upon this ground then, I am extremely sorry to hear such arguments offered by his Majesty's Minister, or those who support him, as that this measure is never to be granted: and the point on which I felt most sorrow at his declaration, was,

where

where he said he had no confidence in the principles or professions of the Irish Catholics; for it must go to depress all ranks and classes of that people in the sister country, by holding them in so much lower estimation than any other class of their fellow-subjects, and, than, I am sure, any other Member of this House entertains. I would ask the Noble Lord, when he talked of the security of our glorious Constitution, and glorious it certainly is. Was it to Protestants we were indebted for that invaluable jewel! I answer, no! for you obtained that Constitution, Magna Charta, and all those inestimable rights that form the chief bulwarks of British liberty—at a time when the Catholic Religion was the faith of this country. What danger, therefore, can be apprehended from Catholics or their religious principles to that Constitution which owes its origin to themselves? With respect to what has fallen from the Royal Duke, I reverence his respect to that religion, and those principles which introduced his illustrious Family to the throne of these realms; and under whose auspices this country has continued to enjoy so many signal advantages. But I always conceived that the Roman Catholic Prince, to whom his family succeeded, was driven from the throne, not for his religion, but his arbitrary principles, and the despotism he attempted to introduce. But, if a Roman Catholic King, upon the throne of these realms, with all the power and influence he possessed, was unable to change the religion, or subvert the Constitution of this country, and was hurled from the throne for the attempt; how is it possible that, under a Protestant Prince of the House of Brunswick, and a Protestant Legislature, such events have the most distant probability of risk, from any indulgence that now remains to be extended to his Majesty's Catholic subjects in Ireland? My Lords, it has been said the Roman Catholics of Ireland admit their allegiance to a foreign jurisdiction. I deny the fact; and I appeal to the

Petitition on your table, which disclaims and abjures any such jurisdiction in temporal concerns, in as great an extent as can be required. And what danger can arise to the country, from the circumstance of the Catholic Bishops being named by the Pope, I am at a loss to conceive. It has been said they want to secure and monopolize for themselves all the great offices of power and of the State, and not only command your armies and fleets, but to be Lord Chancellors, Judges, and Privy Counsellors. Why, my Lords, I appeal to the good sense of this House, whether it is probable that a Protestant King, at the head of a Protestant State, would chuse, as the keeper of his conscience, a Roman Catholic Chancellor; or that he would exclude Protestant Judges from the Bench, for the sake of preferring Roman Catholics? As well might it be said, that he would deprive of their revenues Protestant Bishops, in order to confer them on those of the Catholic Religion; and I am confident, that Reverend Bench opposite me have no such apprehensions, even if this measure were now passed. With respect to commands in the army, supposing, as I do, the Catholics, who would be likely to obtain them, are not only men of tried loyalty, but high honour and talents; I see no reason why a Catholic General or Privy Counsellor may not be as competent to render important services to a Protestant King, as a Protestant General or Counsellor to a Catholic Monarch. My Lords, was not the great Sully, first Minister of the Catholic Prince Henry IV. a strict Protestant, and was any incompetence or infidelity to his Royal Master imputed to him on that account? Was not Marshall Turenne, one of the bravest and ablest Generals ever the Catholic Government of France had in its service, a strict Protestant? and were his services on that account less faithful, or his victories less brilliant? I might name many other instances equally illustrious, where the liberality of wise governments has risen superior

rior to the low suspicions of bigotry, and scorned to hold that any man's religious opinions should lead him to violate an high, sacred and honourable trust. Are there not in the empire of Germany many independent states, wherein no difference is made with respect to religion in conferring places or employments? nay, are there not many towns and cities, where the Catholics and Protestants occupy the same churches, to celebrate their public worship, the Catholics one half of the day, the Protestants the other? Is it not the case throughout the United States of America, that every man is left to the religion he chuses to profess, and no idea of preference, or incapacity for employments in the State attached to one religion more than another? And with respect to the apprehensions expressed, that if this measure passes, the Protestants of Ireland will be ousted from the Parliament, and all the seats filled by Catholics, I ask, has it not been alledged even by the enemies of this measure, that nineteen twentieths of the landed property of Ireland is in the hands of Protestants, and must always command a proportionate share of electioneering influence? How is this property to get out of their hands? But so long as things remain in this state, I have no apprehension of violation to the Constitution of Ireland from the admission of Catholics to seats in either House of Parliament. There were some allusions made to the causes of the late Rebellion in Ireland; and it was attempted to be shewn that it was a Catholic Rebellion. Now I do fully agree with the Noble Baron near me, (Lord HOLLAND) that religion had nothing to do in the causes of rebellion; that its leaders were many of them Protestants, and men of all sects were engaged in it, though the majority were necessarily Catholics, as that is the religion five to one of the whole population of Ireland. It has been objected, that by placing Catholics in the offices of Sheriffs and Under Sheriffs, you would give them an inordinate power

power and influence, which they would use to the subversion of Protestant interest. To this opinion I cannot agree. I have been at some pains to obtain information upon the subject, and had some conversation with a respectable gentlemen, a Mr. Gregory, who possesses a considerable estate in the Catholic county of Galway; and he told me that county was of late very quiet, much quieter than usual, and the cause to which he attributed this repose was, that many Catholic Gentlemen had of late been appointed Magistrates, and exerted their influence to quiet the county; a proof that Catholics are not disposed to use the power placed in their hands to promote insurrection or excite commotion. In a word, my Lords, I am convinced the prayer of that Petition ought to be complied with. We owe it to the people of Ireland—we owe it to those to whom it was held out as a condition of acquiescence to the Union, and to whom, as I said before, no boon has been given since the establishment of that measure, but an increase of taxes. If I were an Irishman, I would say to the Legislature of this country,

> I am not that abject slave you take me for;
> I'm man, obstinate man, and will not be controll'd.

The Earl of BUCKINGHAMSHIRE.—"My Lords, observing a Noble Friend of mine near me, (Lord CARLETON) anxious to deliver his sentiments upon this subject, I am extremely unwilling to interrupt him, by obtruding my own upon the House. But after so many years residence in Ireland, having been for a considerable part of that time in a high official capacity (Chief Secretary to the Lord Lieutenant) and having been the person who actually brought forward in 1793 the last principal measure of relaxation to the penal laws, in favour of the Catholics, I hope to be excused if I cannot sit quite silent on this occasion. My Lords, I disclaim every sentiment of prejudice or intolerance towards the Catholics, and profess myself for going as far in relaxation and indulgence towards them,

them, as I can feel it my duty to do; and if any Noble Lord is disposed to question my sincerity on this head, I desire that the Bill of 1793 may be read, as my justification. That Bill has given to the Catholics civil rights in as great an extent as to any other class of his Majesty's subjects. It goes farther, for it exempts them from tests to which all other of his Majesty's subjects are liable. The Noble Baron who brought forward the Petition, has disclaimed and deprecated inflammatory language; but he seems to have lost sight of this precaution, when he tells us, that if we refuse this boon, the consequences will be alarming and calamitous, as the Roman Catholics will consider they are set down as traitors, that faith has been broken with them, and no farther relaxation towards them were intended. But this is indeed most extraordinary language, and so inflammatory, as I should not expect to hear from any Lord in this House, and especially from the Noble Lord who had so emphatically deprecated every thing inflammatory. My Lords, is it decent to assert, that because the Roman Catholics are refused exemption from the same tests that bind their fellow-subjects amongst every description of Dissenters, that they must therefore consider themselves as men deemed traitors? I may, possibly, have misunderstood the Noble Lord; but, I think that was his assertion, and the Noble Baron added, if we did so estimate them, it was our duty to go into a Committee, for the purpose of re-enacting the penal laws. How far those whose cause the Noble Lord has undertaken to advocate, may approve his recommendation, I know not, but I do not conceive the alternative very congenial to their wishes. After what has already been stated by Noble Lords, who have preceded me in this debate, it is unnecessary for me to trespass on your Lordships' attention, with respect to the sentiments of Catholics as to foreign jurisdiction: but I, my Lords, can never accede to the idea of raising men to the highest

highest offices in the State, professing principles which I can prove, or what I suppose will be admitted as of high authority, namely, the Pastoral Letter of Doctor Troy, the Catholic Bishop of Dublin, published in 1792, which tells his flock they are obliged to believe the Pope of Rome is the Supreme Head of the Church, and holds his primacy by Divine right; and he goes on and says, this supremacy is to be an immutable article of their faith. They cannot, of course, depart from this principle; and so long as they hold it, it is impossible to admit them to seats in Parliament, to offices of high power in the State, and to his Majesty's Councils, as men holding principles so utterly subversive to the leading principle of our Constitution in Church and State, by which his Majesty is declared head of the Church. Something has been said, as to the disposition for loyalty amongst the Catholics of Ireland. When I held an official situation in Ireland, I had frequent opportunities of forming an opinion on this subject.

" My Lords, on this point I should wish to be silent; but as the subject has been mentioned, I will speak from what I had the constant opportunities of observing in my official situation; and I will say, that I believe his Majesty has not in his dominions a set of persons more sincerely attached to his Person and Government than the Noblemen and Gentlemen who represent the Catholic body in Ireland; and whatever use may be made of this candid declaration, I cannot in justice and truth withhold it from their meritorious conduct. But I must add, that those Noblemen and Gentlemen have long ceased to have any influence over their community at large, of whom, though I do not wish to say a single word or expression that may be construed to charge them with disloyalty, yet when I see them get into the hands of men, quite of an opposite description to the Noblemen and Gentlemen to whom I have alluded; when I have seen those men employing as their

their principal and confidential agent, one of the most dangerous men in the State, the founder of the society of United Irishmen, and the propounder and negociator of their union with France, for the separation of Ireland from this country; when I find them placing themselves under the auspices of such a man as Mr. Theobald Wolfe Tone, though I will not go so far as to charge them with direct disloyalty, I will say their conduct was at least extremely suspicious. This man was the accredited agent of the Irish Catholic Convention, whose last vote assigned him a sum of 1,500l. for his eminent services in their cause, besides a gold medal, value 30l. as an honorary memorial of their confidence and gratitude. My Lords, the Noble Baron has said, that the grant of what the Catholics now ask was a pledge to them at the time of accomplishing the Union, solemnly given by the Government of this country. My Lords, I do positively deny that any such pledge in terms was ever given to them. It might have been mentioned to them that as a consequence of the Union, their claims might have a fairer chance of being examined impartially in an Imperial Parliament, and of being discussed more freely from local or party-prejudice, than in the Parliament of Ireland, where they had lost all hopes of success; but there never was or could have been any such pledge given. I have heard this matter mentioned more than once; but I have as repeatedly denied it, and never admitted any such thing. I certainly conceived the Union to be a most salutary measure, and thought the Roman Catholics might be better satisfied with a change which would open to their hopes a more probable prospect of gratification through the United Parliament, as I was convinced nothing would satisfy them until they should obtain a share in the Legislature, and that you could not admit them to that share in the Parliament of Ireland, without surrendering to them that power and influence which a decided majority in the Parliament of their

own country must give; and that, by the measure of Union, instead of a majority, as in their own country, they would become a minority in the Parliament of the United Kingdom; and consequently, that a great part of the objections against their admission would be removed. I thought they would be better satisfied with the measure of Union than with the continuance of a Parliament into which they could never hope to gain admission; as it afforded ground of hope that their claims would stand a fairer chance of being dispassionately discussed in a parliament less actuated by local jealousies or party-prejudices than in their own; but I am convinced, my Lords, no such suggestion or bond was held out to them under the Union, as that a full compliance with all their wishes should immediately follow. It must be the consequence of such an arrangement, that nearly the whole of the Representation of Ireland must be Catholic; as in the counties composing three provinces out of the four in Ireland, namely, Leinster, Munster, and Connaught, the Catholics to the Protestants are as *six* to *one*; and in the other quarter of the kingdom, their numbers are very considerable, and carry very great influence. But it is impossible for any man, knowing the situation of Ireland, to have any other opinion than that the representation of three provinces out of the four must be Catholic. The farmers throughout the country, having leases for lives, have the privilege to vote; but it is not the Protestant landlord who could influence his vote, but his priest, who would certainly oblige him to vote for a Catholic Member. In the reign of James this was the case, when agents were sent into the different counties to enforce this principle, and to threaten excommunication to all who should vote against the Catholic candidates. If this was the case then, what, I ask, is the probability now? I am persuaded, that out of the whole representation of Ireland, very few Protestants would be returned to this Parliament:

as to the North of Ireland, they would return principally Dissenters; and I appeal to your Lordships, how far you would consider it right to introduce into the United Parliament a body of men, who, in the nature of things, could not be attached to your Church Establishment. It has been said, my Lords, and I perfectly agree in the opinion, that this is the time the most improper that could be conceived for such a change; for I think every Noble Lord who knows any thing of that country, will go along with me in anticipating the kind of conflict which must take place in a contested election between Protestants and Catholics. My Lords, I do seriously apprehend the most serious consequences from making such a change under so many dissentions upon the subject; and as to the opinion of the great mass of the Catholics themselves, I refer you to the opinion of Dr. M'Nevin, a principal leader amongst the Irish Revolutionists in the late Rebellion. He declared, that they cared not one drop of ink for Catholic Emancipation or Parliamentary Reform, otherwise than as measures which were to exempt them from the payment of tythes; a principle to which the Dissenters are equally averse. And when we consider the common object of both on this ground, and the peculiar hatred the latter have always manifested to every species of ecclesiastical dignities, we must see, my Lords, the utter impropriety of introducing into Parliament so great a number of men, representing persons of such sentiments, and consequently enemies to our Church Establishment. It was said by Mr. Burke that the Dissenters did not care the *nip of a straw* for the repeal of the Corporation and Test Acts; but that the abolition of tythes was their principal object. Comparing, therefore, both opinions, your Lordships must feel the obvious consequence of trying such an experiment, which must produce a junction of all the influence inimical to the interests of the Established Church. Apprehensions of this kind were entertained at the Union with Scotland, from

the introduction into Parliament of only forty-five Dissenting Members. How much greater then must the cause for apprehension be, under the circumstances to which I now allude? My Lords, I feel a reverence and respect for those principles established at the Revolution, which I never can forego. I have seen this country enjoy under that Constitution more happiness than any other in Europe: I cannot, therefore, agree to a step which I conceive likely to risk the subversion of those principles. My Lords, I have lived to see all the Governments in Europe shaken, and many of them overturned by the innovating principles of French Jacobinism. I have lived to see even the happiness of this country menaced by the introduction of those principles, happily now obliterated even from the most deluded and enthusiastic minds. My Lords, I therefore stand firm in resisting any innovation that can risk the safety of our Constitution. I never can consent to a measure likely to shake the title of the illustrious House of Brunswick to the throne of these realms, or that can place the Noble Lord on the woolsack in the humiliating predicament of laying at his Majesty's feet a Bill for his royal assent, likely to strike at the foundation of his throne, and the best principles of his government.

" I will do the Noble Baron the justice to say, that he has given us the fullest opportunity for deliberation on this subject, before he brought his motion forward; and I trust every Noble Lord who hears me has used that opportunity, by giving to the measure the fullest deliberation. The people of England, my Lords, look up to you for a wise and cautious decision upon a subject equally dear to them as to the State, and I am sure your Lordships will not disappoint them.

" A Noble Lord has said much of taxation to Ireland (Earl of SUFFOLK), but this measure, if granted, would lead to tenfold taxation. I am as well attached, my Lords, to the interests of Ireland, as

as any man; and I am convinced that those interests will be better promoted by rejecting this measure, than by acceding to it."

Lord Viscount CARLETON.—"My Lords, the Noble Earl who just sat down has anticipated so many of the sentiments which it was my intention to offer, that I shall feel it the less necessary to trespass at any great length upon your Lordships' attention. My Lords, the measure now proposed, in my mind, goes to affect the whole empire, and, in my mind, you can never concede such privileges, as are claimed by this Petition, to any set of men who profess sentiments inimical to the Constitution, which the Catholics of Ireland do, in refusing those tests, to which every other class of his Majesty's subjects are indispensibly bound; and, my Lords, I say, that conceding such powers to men who refuse to acknowledge his Majesty as head of the church, and acknowledge that head only in a foreign potentate, would go directly to affect the principles on which British Government is founded in every part of the Empire. It is not a measure of necessary concession for the real happines of the Catholics in any view, but merely a measure to gratify the ambition of a few individuals; and I know of no particular act now in existence, which, *eo nomine*, precludes the Catholics, as such, from holding offices under the State, but certain tests, without which no other class of subjects is allowed to enjoy them. I should have thought, my Lords, that the concessions already made to the Catholics has satisfied every reasonable wish on their parts; but it appears that concession only forms the grounds of new demands. If there are any minor concessions to those of the powers of the State, which would finally satisfy them, I should have no objection to grant them; but this Petition goes to the whole possession of state power, and legislative influence. If you repeal those tests which operate to the preclusion of Roman Catholics, you cannot refuse the Dissenters

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to repeal the tests prescribed by law for them; and thus you will let into the powers of the State and the influence of Parliament, all the various sects who, from the nature of their principles, would be desirous of overturning the Protestant establishment. The spiritual supremacy of the church is by the law of this country vested in the Crown; and surely it is a piece of the highest contumacy, in any sect of his Majesty's subjects, to deny that Supremacy, and to vest the controul in a foreign potentate! more especially one whom all Europe knows to be under the immediate influence of our common enemy. The influence of the Pope of Rome is, in my mind, greater over the Catholics of Ireland at this moment than at any time within the last century; and the Catholic Bishops are sworn to use their utmost endeavours to promote that influence in religious matters; and this circumstance must have peculiar force, if it is considered, that France originally laid a claim to the right of possessing Ireland under a grant from the Pope, as is stated in a work of some authenticity, which I have seen, and which has been published within the last thirty years. And, Dr. Troy, the Catholic Bishop of Dublin, enjoins, as a matter of indispensible religious faith, the exclusive supremacy of the Pope in all spiritual affairs of his church. In Ireland it is well understood that Romish Courts are held in every diocese thoughout the kingdom for the management of ecclesiastical affairs, and that they award divorces, settle questions of legitimacy, and regulate succession to property, in defiance to the laws of the land, and subject only to the controul of the Court of Rome. If, my Lords, the Catholic hierarchy will venture to do this now, what are we to expect if they are to have power to legalize the authority of the Pope, and to submit to his final decision questions for the settlement of property in these countries. What then I ask is, to become of all those laws that make it illegal to deny the supremacy of the

the Crown? or are we to legalize that denial? My Lords, if we are, the consequences may lead not only to the confusion of property, but to the subversion of the Crown itself. I trust, my Lords, no change will ever happen in the affairs of England, that will lead to the establishment of a Popish King in this country; and that no idea will ever be impressed in the minds of the Catholics of Ireland that can induce them to entertain the project of subverting the Protestant Government. So long, my Lords, as you resist the measure now proposed by their Petition, you guard against the possibility of entertaining such a project; but if you cede the whole privileges claimed by this Petition, the direct tendency will be, in the first instance, to invalidate the Act of Settlement. I know, my Lords, that any intention to contravene this act has been frequently disclaimed by the Catholics; and possibly those who derive under it their titles to their present possessions, would not be disposed to question its validity; but I ask, if there is no such idea entertained, how comes it that maps and rolls of the forfeited estates in Ireland, are, to this day, in the possession of those who profess to claim, as successors to the original possessors, and handed down regularly from father to son, unless it be with the expectation of having those estates restored to their families in case of a revolution? With a view to such a consequence, my Lords, I conceive the measure now proposed would prove eventually ruinous to the property of the nation, held under whatever titles or leases, founded on the great Act of Settlement, nor could this country be able to stem the torrent."

The Noble and Learned Lord here entered into an historical detail of the late rebellion in Ireland, with its antecedent causes, which he traced to originate with the United Irishmen of Belfast, in order to shew the object of the conspirators to be a separation from this country, and subversive to British Government in Ireland, and all the laws on which

it

it was founded,—the partition of property, and the establishment of a republic on French principles.

" If, my Lords, it was deemed improper to cede those claims before the rebellion, how much more rash would it be to grant them now, after you are made aware of what was the real objects of many of those persons who had been active delegates to the Catholic Convention at Dublin, who had taken very active parts in urging forward the Catholic claims in Parliament for former concessions, and who afterwards became notorious accomplices in the project of casting off the British Government in Ireland, and forming an alliance with France. My Lords, with such recent experience before my eyes, I never can consent to the cession of those claims, which must put into imminent risk the safety of Church and State, and the connection between both countries. To the majority of the Catholics of Ireland those claims, if ceded, could be of no practical benefit whatever. It could answer no purpose for the present, but to gratify ambition in a few individuals. My Lords, I arraign in no degree the views or intentions of the Petitioners whose names are signed to the paper on your table. Many of them I know, and believe to be loyal and highly respectable characters. It is not therefore peculiarly against them that my precautions are directed. But if the powers are once given, we know not into what hands they may hereafter fall. To the great body of the Catholics I am for granting every indulgence, and gratifying every wish so far as the nature of our Constitution can safely admit. From my knowledge of the mass of the Roman Catholics of Ireland. I am not afraid of their loyalty; but of those who have mischievous designs, and who, by their artifices, may mislead the people, and influence their conduct to bad purposes. I know how subservient they are to the influence of their priests, who would be indefatigable in exerting that influence to procure votes for the return of Catholic Representatives instead of Protestant;

testant; and it is my opinion that the whole sixty-four members for counties, and those for the greater part of all open boroughs, would be under this influence represented by Catholics, a consequence to which your Lordships must see insurmountable objections. But I would be glad to know, do the Catholics mean that all the advantages the Protestants gain, they lose? Do they require additional protection on account of the representation being in the hands of Protestants? Or, of what laws of our recent enactment can they have cause to complain? when, for the last thirty years, every law that has past, as with respect to them, has been only one of a series of concessions and indulgences. Allusions have been made to the situation of Protestants in Catholic countries; but those circumstances stand on grounds totally different from this, and can bear no comparison. The laws of this State have been made for the protection and maintenance of Church and State; and consistently with those laws which form the very basis of our Constitution, no such alliance can take place between the Protestant Hierarchy and the Catholic, as this Petition proposes. Convinced, therefore, that such a measure would ultimately tend to subvert the Crown, to unsettle property, both lay and ecclesiastical, and produce anarchy and distraction in the realm, I shall vote against the motion."

Lord HUTCHINSON.—"I rise, my Lords, to support the motion of the Noble Baron who introduced this question, because I feel the strongest conviction of the wisdom and sound policy of acceding to the prayer of the Petition on your table. I do most deeply regret the imputations which have been thrown this night upon my Catholic countrymen. I know them well, and can assert, that they do not deserve such imputations. I deny, my Lords, that the rebellion which of late unfortunately disturbed Ireland, was a Catholic rebellion; on the contrary, it was a rebellion carried on by men of all sects,

alike inimical to all establishments, Protestant and Catholic—alike opposed to Protestant virtue and to Catholic superstition—men whose object was to overturn the State, to destroy the connexion between Great Britain and Ireland, and to erect on the ruins of the Constitution a Republic on French principles, without King, or priest, or religion. The leaders of that conspiracy were men of talents and ability, and well acquainted with the human heart; they consequently appealed to every irritable feeling, every vicious, principle and deluded mind amongst the multitude, that could procure partizans for their purpose: and they used every artifice to delude, and every argument to persuade the lower orders into their schemes. Is it wonderful, I ask, that a great portion of the Roman Catholic community, who form the great majority of the lower orders, should suffer their minds to be prejudiced and led astray by the same artifices that deluded Protestants of all other sects? But while means were adopted on one hand to unite all sects against the law and the established Government, I am sorry to say that artifices not very dissimilar were cultivated on the other, to sow dissentions, and ignite the mind of one religious sect against the professors of another, instead of endeavouring to stifle those evil prejudices which had so long proved ruinous to the land, and by conciliation to unite and attach all to the maintenance of the State, and the defence of their common country. Assertions have been made in this House in the course of this debate, to calumniate and traduce the character of my Catholic countrymen, and which, if uttered any where else, I should not hesitate to pronounce the most unfounded calumnies. Unhappily for Ireland, it was but too much the foolish custom in her own Parliament, with those who wished to oppress the people, to indulge in such calumnies upon the national character. But I never expected to find that custom transferred to the liberal, dispassionate, and enlightened Parliament of the Empire,

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to the grave and dignified assembly by which I am now surrounded, and which I conceived superior to the intemperance and acrimony of local party or prejudice. When the Legislative Union was established between these countries, the Irish people were taught to believe, that by that measure the subject of their claims and grievances would be discussed in a dispassionate, unprejudiced, and impartial Legislature, when every question would be decided upon its fair merits. I was one of those who supported that Union, upon a full persuasion that this would have been the case; but I shall lament if I am disappointed. If it is the pleasure of Parliament to refuse this measure, may it not be done without insult and vituperation to the characters of the loyal claimants, without echoing those calumnies from one House to the other, and charging them with purposes the most criminal upon conjectures the most vague. My Lords, I beseech your Lordships not to condemn the people of Ireland upon assertions thus speculative and unfounded, nor to consider them upon such accusations as averse to the Constitution, the Government, or the people of England. If you would attach them to British laws and British Government, treat them as British subjects, and not as slaves and aliens. They are a brave, a generous, and a grateful people as any on earth; their virtues are peculiarly their own; and their faults are the faults not of their nature, but their situation—the consequences of those laws under whose baleful operation they have so long groaned, and under which contests have been easily excited and antipathies cherished between the old and the new inhabitants of the country, which have not been suffered to subside even to this day. It appears to have been the object of the Legislature to establish two different sects in the country, hostile to each other, the effects of which have long been evident in the depression of that nation, and the feuds and divisions amongst its inhabitants. I have heard with asto-

nishment the encomiums bestowed in the course of this debate upon that abominable code so disgraceful to its institutors and so degrading to the country. Tranquillity, indeed, it might have preserved, but it was the tranquillity of a gaol, maintained amidst the clank of chains, and the terrors of the executioner. Under that code, persecution found its way not only into every rank in public society, but into the recesses of private families. The son was excited against the father, the brother against his brother, the husband against his wife, and the neighbour against his neighbour : the march of the human mind was retrogade and not progressive ; every feeling of nature was perverted ; and while liberality was in the mouths, persecution was in the hearts of those who framed that abominable code—a code from which every liberal mind and generous heart recedes at this day with horror.

" I cannot conceive, my Lords, how the State is to be endangered because a few Catholic peers and gentlemen should obtain seats in Parliament, more especially after you have granted the elective franchise to the Catholic multitude in its fullest extent ; or because Catholics of wealth, talents and education should, at the discretion of their Sovereign, be appointed to fill offices in the State ; as I have always conceived it a wise maxim that the independence of property, and the power of place should go together ; as little can I conceive why a man's religious faith should preclude him from political confidence, or why it should prevent men who believe in or reject the doctrine of Transubstantiation, from thinking alike upon other subjects. As to the danger apprehended from the Catholic Bishops in Ireland being under the influence of a Pope, who is a slave of the destinies of Bonaparte, whether that Pope be a prisoner at Paris, or in chains at Rome, I have no fears from the exercise of any influence that degraded, insulted, and oppressed Pontiff could be supposed to exert over the Catholic

tholic Bishops or community in Ireland; nor can I suppose it possible for any such influence to induce the people of Ireland to prefer the arbitrary domination of a tyrant to the enjoyment of that free and unparalelled Constitution which it is their earnest wish and hope one day to participate.

" My Lords, in the debate of the other night, I was astonished to hear a Noble and Learned Lord, who holds a high official situation in that country, make use of some assertions respecting its Catholic inhabitants, which I never have heard in the Parliament of Ireland, even in its worst days of asperity, and which I cannot now pass over in silence. Every thing which falls from that Noble Lord, sanctioned by the gravity of his character, and the credit due to his high situation, will, no doubt, have much weight in this House; but I solemnly declare, that, born and educated, as I was, in Ireland, and spending the greater part of my life amongst the people whom that Noble Lord has thought proper to asperse, I never recollect to have heard, even from the most bitter and prejudiced of their enemies, any thing like the assertions that Noble Lord has thought proper to make. It is possible that in my infancy I may have heard such tales of horror from my nurse, but never before, I pledge my honour, from any grave or sedate man; therefore I challenge the Noble and Learned Lord to illustrate his assertions by stating in what families, or in what places, those criminal dispositions of Catholics towards Protestants, have been found to exist? The Noble Lord has attempted to panegyrise the pœnal code as the only means of maintaining perfect tranquillity in Ireland; but the quiet procured by that code was not peace, but a repose of desolation, under which the best energies of the country were paralized; under which the Protestant gave up his liberty to secure his tranquillity, and the Catholic abandoned his country to find honour and renown in every country to which he went; whilst his native

tive land lost for ever, the advantages of his talents and his valour. Catholicity, which has been this night so much the object of abuse has been the belief of the most extensive and enlighted nations in Europe, and of the most illustrious characters that ever did honour to the name of man. It has been said that, no reliance is to be placed upon the oath of a Catholic; but, I ask, what is it that stands between them and the fullest enjoyment of all the blessings of the Constitution they now wish, but their sanctimonious scruples on the sacred obligations of an oath, which, if they lightly disregarded, they would take without hesitation? Believe me, there are dangers in the refusal of this measures, which no man can calculate, but which your compliance would completely obviate; and, therefore, it is amply worth experiment. Abandon, I adjure you, my Lords, all prejudices and distrusts in the Catholics; confide, as you safely may, in their loyalty; unite them under the same Constitution with their Protestant fellow-subjects, and you may set at defiance the power of France over the rest of Europe. What you must one day give of necessity, it is more wise to give now, liberally, than run any risque from further delay. A new æra has occurred in Europe, under which, every man should learn to sacrifice his prejudices to his experience. Menaced as we are, on all sides, by a formidable and ever vigilant enemy, it is our best policy to consolidate our strength, by uniting all our population, in that quarter of the empire, where we are the most vulnerable. Inhabited by a brave, hardy, and intelligent race of men, Ireland has been long rising in wealth and strength, even under all the restrictions that have depressed, and the acrimony and delusion that have irritated and divided her people. It is the only country in the world where it was thought necessary to shut out from the blessings of the Constitution, three-fourths of its population, and where the Parliament has uniformly

uniformly acted not for, but against the people. I voted for the Union under a persuasion, that the measure would immediately tend to ameliorate the situation of the country. I know that I differed materially on this ground, from many wise and experienced men. It was, however, my honest opinion, and I acted under its impulse. If I was mistaken in that opinion, it will leave me much cause to lament, that I was one of those who supported it, and, by so doing, surrendered the Legislation, and signed the degradation of my country. I did entertain the hope that the full Emancipation of so great a body of loyal subjects would have been one of the first measures adopted after the establishment of that Union. But, if the contrary is to be the case, and this Emancipation is for ever to be refused, then, indeed, may it be termed, an Union by Act of Parliament, but not an Union of interests or attachments between the countries. I ask pardon for trespassing so long on the time and attention of the House. But I cannot sit down without adverting again to the speech of a Noble and learned Lord who has thought proper to make assertions so extraordinary that I must again call upon him to explain to this House, the grounds of those imputations he has thrown on the Catholic Hierarchy of Ireland. The Noble Lord has said—that their influence upon their flocks has been the sole cause of turbulence and insurrection in that country; that they tyrannize over those flocks, and that their community are anxiously desirous for their abolition; from whence the Noble Lord has derived his authority, I am wholly at a loss to account, but I do trust there is no Noble Lord in this House, beside himself, who knows any thing of Ireland, that will believe one word of those imputations. If what the Noble Lord says, were true, then, indeed, would the British Empire be in danger, and therefore, I do again call upon the Noble Lord to state, specifically, upon what he founds his assertions. The Noble Lord has said

said too, that no child of a Protestant can get employment even in the menial servitude of a Protestant family, and that no Protestant can find a safe residence in the greater part of that country, except in a garrison town. I call upon the Noble Lord to retract an assertion so unfounded; and I call upon every Noble Lord in this House, from that kingdom, to rise in his place and vindicate from the aspersions of the Noble Lord his calumniated and insulted country.

Lord REDESDALE.—" The Noble Lord who just sat down has called on me in so pointed a manner, that I trust I may be allowed the indulgence of a few words in answer; and notwithstanding the warmth in which the Noble Lord has commented upon what I have said on a former night, I am not to be intimidated from declaring my sentiments on this or any other subject. I did not say, as the Noble Lord has stated, that no Protestant servant *could* obtain employment in Ireland; but I do say, it is with the utmost difficulty that such a servant can obtain employment—*(No! No! from the opposite side of the House.)*—I say, my Lords, it happens to me, from my official knowledge in the superintendance of several public charitable institutions in Dublin, that the children of poor Protestants educated under those charities, cannot be apprenticed as servants to Protestant families, because Catholic servants will not live in the same families with them, and they are therefore, of necessity, bound apprentices to handicraft trades, on account of this resistance by Popish servants, who combine against them. My Lords, I did say, that the Roman Catholic Hierarchy in Ireland was the cause of all the discontents that have arisen amongst their community, and agitated that country; and I said it, because the Roman Catholic Hierarchy is in direct and open rebellion against the law of the country, which forbids to any sect the assumption of episcopal or other high ecclesiastical dignities, except the esta-

Established Church. Now the Roman Catholic Hierarchy deny and resist the authority of the Established Church; they refuse to acknowledge the King as head of the Church; they are nominated to their authority by the Pope, and thus they presume to supersede the authority of the Bishops, legally established in all their ecclesiastical functions, although they can have no legal right to such authority; and therefore it was that I did assert, on a former day, it was impossible while that Hierarchy was allowed to exist, for any peace to be maintained in the country; for I contended, that having the rank in ecclesiastical superiority, they would never be content until they obtained the revenues, and all the other powers and privileges attached to it in the Established Church. The Noble Lord, notwithstanding his warmth, shall not deter me from stating that which I know to be fact. The Noble Lord has certainly mistated me, when he says I asserted that no Protestant could be secure in any part of Ireland but in a garrison town. I said, There are many parts of Ireland where a Protestant day-labourer cannot exist; but I did not say any thing of garrison towns. Now the fact I assert, is occasioned by the apprehensions and fears which Protestants in the humbler classes of life entertain of being maimed or otherwise injured by the peasantry of the country who are all Catholics; and to such a degree do those apprehensions operate even upon my own servants, being Protestants, that they dare not reside in the interior of the country."

The Earl of ORMOND.—"My Lords, I trust I shall not be contradicted by any man who really knows any thing of Ireland, when I say the Noble and Learned Lord has stated that which is not a fact, at least in the opinion of any man but himself; and therefore I cannot sit silent and hear the country to which I have the honour to belong, so foully traduced, without rising in my place, to contradict such unfounded aspersions upon the national cha-

racter of Ireland. The Noble Lord has asserted, that Protestant servants dare not live in the same families with Catholic servants; and that the Catholic servants, from their hatred to those of the Protestant religion, combine against them. My Lords, I know not what may be the state of the Noble Lords' household, I never was in his house, I never wish it, and I never shall be in it; but, my Lords, I do know that in my own house, in the houses of all the Protestant gentlemen around it, intermixed and surrounded by Catholics, and in one of the most Catholic counties in Ireland (Kilkenny) Catholic and Protestant servants live together like brothers. The Noble Lord has stated, that in Dublin a Protestant servant cannot get employment in a Protestant family, on account of the combination formed against him by Catholic servants. In all my intercourse in Dublin, during a very long residence there, much longer indeed than that of the Noble Lord, I never once heard any such thing. The only complaint I ever recollect to have heard on this point was, that Protestant servants enough could not be had to supply Protestant families who had a predilection for such servants that class of the people in Ireland; being by much the greater part Catholic. From the tenor of the speech spoken by that Noble and Learned Lord on a former night, and the weight with which every statement respecting the country where he presides in a situation so eminent, must fall under the sanction of his grave authority, I own I did expect this motion would have met, this night, the most virulent opposition from the Right Reverend Bench opposite to me. But, unlike the Noble Lord, nothing has fallen from that quarter but the most calm, decorous, and moderate arguments so truly characteristic of the tolerant spirit and charitable principles of that Established Religion over which they so worthily preside. But from the Noble Lord, instead of a most legal, liberal, enlightened

lightened, and argumentative speech, becoming the gravity of his character, what have we heard? A collection of old women's stories, which I do verily believe not even the most prejudiced Protestant in Ireland this day would accredit. I have been in Ireland the greater part of my life. I have repeatedly travelled through, and had intercourse with Protestant gentlemen from every quarter of it, and never, in the course of my life, did I hear such statements as those made by the Noble Lord; and not one of which will, I am sure, be avouched by any independent man in this House. I hope when the Noble and Learned Lord returns to that Bench, on which he presides over the public justice of Ireland, he will divest himself of that violent antipathy towards one sect of the people, and that obvious partiality for another, which he has so conspicuously evinced in this House. My Lords, I most cheerfully support the motion before you, convinced as I am of its sound policy, its wisdom, and its justice."

Lord BORRINGDON.—" My Lords, when a measure somewhat similar to that now proposed, was offered for adoption in this House on a former occasion, the Noble Baron who has brought forward this motion, did me the honour of very warmly supporting my motion on that occasion for the previous question. He thought then as I did, that other times more proper for the discussion of such a measure might arrive, and when it could be granted without material objection. And if this was at that time a sufficient reason with him for postponing the measure, he ought certainly to allow others, on this occasion, to hold the like opinion, and to think that other times may come, and, perhaps, be not very remote, when the grant of such a measure would be much less objectionable than the present moment. It is my wish, my Lords, to expand the principles of toleration, as far as any man, with security to the State; and I think the Church no more in danger

from the measure now proposed, than from any other Bill in favour of Catholic relaxations that has passed this House. There are, however, strong objections in the minds of many against this measure, to which certainly much of differential consideration is due; and, until those objections are satisfied, I own I think it would not be wise or politic to go the lengths which the Petition on your table proposes. My Lords, it has been strongly stated by a Noble and Learned Lord, that a Catholic Hierarchy exists in Ireland, contrary to law; and that they hold their ecclesiastical powers under a foreign authority. But why do they call upon us to surrender our doubts, our cautions, and our jealousies, if they are not prepared to meet us by some concessions on their parts, and remove those obstacles which principally stand in the way of their objects. When they call upon us to make further concessions, it seems, they too have something to concede; and how can they expect we shall concede every thing, unless they too will agree to give up those points on which our objections and apprehensions chiefly rest. I must say, that the persons who have urged forward this business, have, in many instances, exceedingly misconducted themselves, not only in pushing it onward at a time when they were aware they could have no hope of success, but in not endeavouring to consult the objections of those who were avowedly opposed to their purpose, in their present view of the subject, and how far those objections could be removed, before the question came to a public discussion. If the Catholics refuse to acknowledge the authority of the Hierarchy by law established, how can they expect we shall recognize that of an Hierarchy established within the realm by foreign authority, and directly contrary to law? Perhaps, in some future negociation, they would consent to allow that the King should nominate their bishops, properly recommended by their own parochial clergy. If they would consent to this, as it would be, in some sort, a compliance

pliance with that principle of our Constitution which acknowledges the King to be head of the Church, I have little doubt that it would remove so much anxiety on this ground from the minds of those who now oppose the measure, as very much to smooth the way for ultimate success to their Petition. I have read a book written by a Roman Catholic, which says, "The "machinery employed is not very material if the ob- "ject is obtained; and as to the time, it will be better "left to the wisdom of the legislature than urge it "forward against the sentiments of the country when "there is no hope of success." My Lords, if such sentiments pervade the minds of Irishmen and Catholics, they cannot but meet the approbation of Englishmen and Protestants. And I trust the time is not far distant when such a sentiment will have its weight with the general mind; at present, however, the bias of general opinion is against this measure, and that consideration must rule the vote I mean this night to give. But, if the Catholics were prepared to make the concession to which I have alluded, much, I am confident, would be cheerfully ceded of that which I think must be now withheld; for the defect is on their side. And I am convinced, that, on any future opportunity when this subject may again be brought forward for discussion, the determination of the Catholics upon this most important point, will ultimately decide the public mind, for or against their wishes. For the present, therefore, I shall vote against the Committee; and I am glad that, in the sentiments I have expressed, I have been preceded by three out of the four of his Majesty's Ministers in this House. I do think that the Catholics themselves, who have urged forward this measure, feel they had no rational hope of carrying it now. They know they have friends on both sides of this House, and that those who divide this night with the Noble Baron who brought forward this motion, will not be the whole strength of the support in their favour at a proper opportunity, and when they shall have,

have, on their own parts, removed the principal obstacle to the attainment of their hopes and wishes."

The Archbishop of CANTERBURY.—" My Lords, after the very able manner in which this question has been discussed and many of the objections I have to the prayer of this Petition been anticipated by Noble Lords on both sides of the House, I shall not dwell long upon the subject on which, however, I feel it necessary to express some share of my sentiments. My Lords, it seems to me, that before your Lordships can agree to go into the Committee on that Petition, it will be material for you to consider whether the prayer of that Petition is such as your Lordships can with prudence and safety admit. To my judgment, it is founded upon a series of concessions made to the Catholics, successively, from the 18th of his present Majesty until the 33d, (here the Right Reverend Prelate recapitulated the several Acts of the Irish Parliament, and the concessions made by each from the rigour of the Popery Laws.) In their Petition which preceded the last act, my Lords, they stated that it would remove all that remained to be removed of the restrictions of which they complained, because it would effectually relieve them from every disqualification for the full enjoyment of their civil rights in common with their Protestant fellow-subjects. And well might it remove, my Lords, all of which they had to complain, as it left no other impediment to what they now claim, but those tests to which every Protestant subject of his Majesty is bound. But after so long a series of concessions terminated by an act which they themselves state to be the ultimate object of their wishes; after this long list of statutes, this continued succession of boons in their favour, they now come forward with a Petition, in which they claim equal participation in all the privileges of the Constitution, upon equal terms with all his Majesty's Protestant subjects. My Lords, if I were to consult plain

sense,

sense, I should think they had that participation already, in every thing, at least, upon which their real happiness can depend; in the free exercise of their religion, the full protection of their persons and property, and the right of elective franchise, and every other, in common with all his Majesty's subjects; but they now tell us, all this is not sufficient, and the amelioration they now seek is admission to all the places of power and emolument in the State, and to seats in this and in the other House of Parliament. To this claim, my Lords, I cannot accede. It is a claim that strikes at the very root of our Constitution. I can never consent to a measure by which Catholics shall pass laws for Protestants. I can never consent to yield to Catholics the power of commanding the armies and navies of this country under a Protestant King. Such a measure, my Lords, appears to me to infract our Act of Settlement. And I am utterly at a loss to conceive how you can adopt it. The Noble Lord who had presented this Petition, has supported it with all the force of those splendid talents he possesses (and which must in every measure which has the advantage of his support, make a deep impression upon this House) has attempted to connect the objects of this Petition with the principles of toleration, which form the leading characteristic of the Established Church. I am, my Lords, as much a friend as any man to the genuine spirit of religious toleration; but I cannot agree to a principle of toleration that has a direct tendency to subvert our Ecclesiastical Establishments; and such I conceive the proposed measure to be. Toleration is a principle which grows out of our security; but when I consider the dangers by which we are now surrounded, I cannot consent to relax any more of those precautions upon which our security depends. But let this measure succeed, and you annul all those principles upon which, it appears from the brightest pages of your history, depends your security for a Protestant

testant establishment in Church and State. With these considerations strongly operating on my mind, my Lords, I cannot agree to the measure, and therefore I give my vote against going into the Committee."

Earl of ALBEMARLE.—" My Lords, it is not my purpose to go any great length into argument upon the question before you. I rise principally with a view to offer some observations in answer to a Noble and Learned Lord who holds a high situation in Ireland, and whose speech in this debate, I own, creates in my mind no small share of astonishment. It has been well observed by other Noble Lords, that whatever comes from his elevated authority on a subject wherein it ought to be presumed, at least, he is well informed, must have much weight in this House. Looking to his grave character, and that liberality of sentiment which I expected would have raised his mind far above the vulgar prejudices and idle tales that have filled narrow minds upon this topic, I hoped from him, that whatever might be his sentiments upon the motion before you, they would at least have been delivered with that calmness, moderation, and sound argument, that one would expect to characterise the expanded mind, extensive knowledge, just discernment, and strict impartiality befitting his high judicial situation, in a country where he forms so important a member of the Government, and presides over the administration of justice. But, my Lords, how great was my astonishment to find the Noble Lord, not only opposing the motion with a degree of heat and acrimony little becoming his gravity, but conjuring up the most abominable arguments to support his opposition. Where the Noble and Learned Lord has found his authority for such arguments, and so totally opposite to those sentiments by which he has heretofore been actuated, I am at a loss to account. Upon a former occasion that Noble Lord manifested the most liberal

zeal

zeal in favour of the Catholics of this country, and used such exertions to obtain a relaxation of the penal laws, in their favour, as to procure for himself the warmest thanks of those whose cause he has espoused. But such seems the strange bias, I will not call it the prejudice, of his mind against the Catholics of another country, that, in order to mark still stronger his dispraise towards those of Ireland, he is lavish in his encomiums upon those of England, and tells us, that the only distinctive characteristics between the Protestants and Catholics of his acquaintance or neighbourhood in this country, was, that the latter were always the most exemplary, and best conducted men in the parish where they lived. But what is the Noble and Learned Lord's chief accusation against the Catholics of Ireland? Why, that they have Bishops, by whose guidance their conduct is influenced; and that those Bishops have gone the length of calling the Right Reverend Prelate of Armagh, plain Dr. Stuart. But though the Noble and Learned Lord arraigns with so much stress the contumacy of this circumstance, I hardly think the Right Reverend Prelate himself would lay so much stress upon it, or consider it as any infraction of his archiepiscopal rank or diocesan authority. The Noble and Learned Lord has said that no Protestant dares appear in certain parts of Ireland. This I am afraid was too much the case in some parts of that country during the furor of the late rebellion. I have heard much the same thing stated by another Gentleman; but he said it was no matter of what religion a man was, if he was but known to the rebels to be a loyal man; for that was the criterion upon which their fury was directed against men of all sects. This, however, is no argument against the Catholics as such, but merely a proof of the barbarism of the lower orders, which I lament, and only blame the Government which has presided in the country, not having taken more pains to educate and civilize them. The Noble Lord next goes to

domestic affairs; and he complains of religious antipathies borne by Catholic to Protestant servants. Some remedy we are told is necessary; but what does the Noble Lord propose? Not to re-enact the penal laws; not to accede to the petition; but to abolish the Catholic Hierarchy! and this is the remedy which the Noble and Learned Lord supposes would strike at the root of the evil. I confess, my Lords, the expedient does not carry the same weight in my estimation. But those things, which to the minds of other men appear insurmountable difficulties, to the enlightened understanding, and profound discernment of the Noble Lord, are no difficulties at all. Three hundred years have elapsed since the Reformation, which, aided by all the rigours of the penal code, has yet been so unsuccessful in Ireland, that still above three-fourths of the population continues Catholic. The Irish Papists, it seems, according to the Noble Lord, do not understand English; but, from the nature of their education, they are better acquainted with Latin; therefore, says the Noble Lord, you have nothing to do but translate the Bible and Church Liturgy into Irish, and preach the reformed religion in that language, as has been done in Wales, and you at once convert the whole country into Protestants. Here again, I own, that I much doubt the success of the Noble Lord's project; for, though you might find an Irish congregation to understand, I fancy you would find it rather difficult to find Protestant clergymen to preach or pray in that tongue. But it is said, if you grant this measure to the Catholics, you will have the Presbyterians and all the different sects of Dissenters claiming similar indulgence. My Lords, if it be just and politic to grant the claims of the Catholics, I can't see why you should refuse them, because others may claim something else afterwards. If the Catholics are quiet, it is said, Give them nothing, they don't ask for any thing; and if they do ask, it is said, Give them nothing, for they are turbulent. It is always

too

too soon or too late to hearken to their Petitions. The periods of peace or war are equally unpropitious to their hopes Some Noble Lords emphatically resist this Petition because it is brought forward at this time; who tell us, in the same breath, that they think it proper at no time, and will resist it at any time. But, my Lords, I own I am utterly at a loss for arguments to meet such contradictory objections as these. But then comes the grand objection of all: —Not satisfied with the loyal conduct and peaceful demeanour of the Catholic body in Ireland, you still question their sincerity. You propose to them test after test, and oath after oath, to prove their loyalty and attachment to the State; and after they have taken those tests, and given the most solemn assurances you could demand, it is then said, they are not to be believed upon their oaths, as it is a fundamental article of their religion, that no faith is to be kept with Heretics; and that the Pope may absolve them from allegiance to a Protestant King. Now, my Lords, if this were really the case, how can we account for the reluctance of the Catholics to take the only oath that stands between them and all they wish? Is it fair to admit such a charge against them from their enemies, which they have repeatedly, and in the most solemn manner disavowed and abjured? But, my Lords, I will refer to better authority than the assertions of their enemies; namely, to the authority of the most eminent Catholic Universities in Europe, for their opinions upon those points, obtained at the special instance of a Right Honourable Gentleman at the head of his Majesty's councils in the year 1789. I speak of the Universities of the Sorbonne, Louvain, Doway, Alcala, Valladolid, and Salamanca; all of whom solemnly deny such doctrines, and complain of nothing more bitterly than the calumnies of their opponents upon this head. My Lords, the question propounded for the answers of

those several Universities, were three, which I shall read to your Lordships:—

QUERIES.

"Has the Pope or Cardinals, or any body of men, or any individuals of the Church of Rome, any civil or political authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England?

"Can the Pope or Cardinals, or any body of men, or any individuals of the Church of Rome, absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

"Is there any principle in the Catholic faith by which Catholics are justified in not keeping faith with Heretics, or other persons differing from them in religious opinions, in any transactions of a public or private nature?

"My Lords, these several queries have been answered by those several Universities at considerable length, and decidedly in the negative.

"The Faculty of Divinity at Louvain answer, "that they are struck with astonishment that such "questions should, at the end of this eighteenth "century, be proposed to any learned body, by in-"habitants of a kingdom that glories in the talents "and discernment of its natives" The *first* and *second* queries they answer unanimously in the negative; and they do not feel it incumbent on them to enter upon the proofs of the opinions which they hold, supported by the Holy Scriptures and the most eminent writers of their religion, ancient and modern, against the doctrines of Bellarmine, Du Perron, and many others, which they deeply lament, were favourably heard by the court of Rome in the dark ages, and even found its way into the councils of Kings, to the production of infinite detriment to the Church and Republic of Christianity, and the deluging

deluging of Europe with blood; they totally and utterly deny that any such power whatever exists in the Catholic Church, or its members, individually or collectively, Pope, Cardinal, Council, or General Assembly, to deprive any sovereign power of its temporal right, possession, government, jurisdiction, or pre-eminence, or subject it to any restraints or modifications; and that this opinion they hold, as founded in the doctrine of truth, of the Apostles, and of the Church, delivered down from the Fathers and Prelates; and though defaced and obscured by the filth heaped upon it in the middle ages, yet not obliterated. They state that this opinion is not peculiar to themselves, but that there is no society or learned body, nor any one learned man in the whole Catholic world, who is not ready to subscribe to it with both hands: and with respect to the third point, the faculty, after professing equal astonishment that such a question should be propounded, do most positively and unequivocally answer, That there is not, and that there never has been, amongst the Catholics, or in the doctrines of the Church of Rome, any law, principle, or tenet which makes it lawful for Catholics to break their faith with Heretics, or others of a different persuasion from themselves in matters of religion, either in public or private concerns; and they quote the authority of an illustrious member of their faculty two centuries ago, that such a doctrine is most impious and pestilential, ascribed to the Catholics by those men who, rather than peace should be made with them, wished to throw every thing into confusion, that thus no harmony, no articles of peace, of equity, or honesty might be received by persons differing from them in religious matters.

To the same questions the answers of all the other five Universities I have named, are, in effect, precisely the same; all solemnly and utterly denying and abjuring such abominable tenets. Considering, therefore, the authority of those Universities, as to what

what are or are not the tenets and doctrines of their own religion, infinitely better than that of those who ignorantly assert the contrary, unsupported by any authentic proof, I own I cannot feel with those who are for rejecting the claims of the Catholics to those eligibilities, which it is even alleged can gain them nothing. In this advanced stage of the Christian Religion and of social civilization, I hold it to be highly essential to the happiness, the security, and the prosperity of this United Empire, to do away all differences between his Majesty's subjects, founded on distinctions in religion; and, notwithstanding what has fallen from the Right Reverend Prelate who spoke last, and to whose authority I certainly feel disposed to pay every respect, yet I cannot feel with him that there is any danger to the Protestant Establishment from the vote I shall this night give, in favour of the motion for going into the Committee.

The LORD CHANCELLOR rose to discuss the subject, with temperance and moderation. The Noble Lord who introduced the subject, had said it was one highly fit to be entertained. If it was so fit to be entertained upon constitutional principles, he sincerely prayed God that it might be entertained; but if its tendency, as had been ably argued, was to subvert those blessings under that Constitution, which not only the Protestants of this country, but every other class of his Majesty's subjects in the country enjoy, both civil and religious, he hoped it would not be entertained. To say the measure never shall pass, would be a language not fit for any man to use who was fit to have a seat in that House. But at present, and in his view of the subject, it was a question inconsistent with the principles of that Constitution which had been introduced into this country upon Protestant principles; and, therefore, feeling as he did, that it is a question opposed to what he conceived to be the true principles of that Constitution, and the Law as it stands,

stands, he should feel that he was not doing his duty if he did not oppose it; and in so doing, he conceived himself acting consistently with that zeal and sense of duty which he hoped would actuate the majority of their Lordships, to transmit to our posterity that Constitution in as much purity as we had received it from our ancestors. It had been said that the Petition was couched in respectful language. He would admit it was. But the question was not, Whether the language of the Petition was respectful to the House? but, Whether it was wise, just, or expedient to comply with the prayer of that Petition? It was said also, that the Petition was in behalf of four millions of his Majesty's Catholic subjects; but it was not the numbers who signed a Petition, but the object of the Petition itself, and the reasonableness and justice of complying with that object, that should rule the consideration of the House. The Noble Lord then, at very considerable length, and with his wonted ability, went over the whole ground of principle upon which the subject had been already debated, and contended that every thing which religious toleration demanded, had been already conceded to the Catholics; and that they had now no political grievance whatever to complain of, that do not equally affect most other descriptions of his Majesty's Protestant subjects. The Constitution demands oaths, tests, and qualifications from those who are to be entrusted with parliamentary representation or official power: our liberties were sustained by a system of checks. The elective franchise was limited; the Representative must prove the qualification of him required; the Dissenter must conform to the oaths presented for the Protestant. The eldest sons of the Peers of Scotland could not be returned as Representatives in Parliament for that part of the kingdom; and, in short, no prohibition now remained upon Roman Catholics that did not attach equally upon many other descriptions of his Majesty's Protestant subjects.

jects. Nay, the Roman Catholics of Ireland had more license in the oath they were required to take than Protestant Dissenters in England; for the former were only required to swear allegiance to the King and his Family; but in England the oath was to the King and his Family,—*being Protestants.* The basis of the British Constitution was not founded upon the principle of equal rights to all men indiscriminately; but to all men conforming and complying with the tests which that Constitution demanded for its security. The Noble and Learned Lord argued at much length the danger that must arise to the Act of Settlement and the Bill of Rights, if a Protestant King in this country were to have a Catholic Cabinet; and he quoted the expressions of the celebrated Lord Sommers on the 11th and 12th of William and Mary, containing the Coronation Oath, that ought to be reverenced as the Magna Charta of the British Constitution. The Noble and Learned Lord alluded, in the course of his speech, to the observations made by Lord REDESDALE upon the contumacious conduct of the Irish Catholic Bishops, in not only assuming, contrary to law, the high titular dignities, but all the ecclesiastical functions attached to that rank in the Established Church; and said it would have belonged to the character and firmness of his Noble and Learned Friend the moment he discovered those men assuming the titular dignities of the Established Episcopacy, or discharging their functions in ecclesiastical polity, in open rebellion against the laws, to have directly conveyed a formal complaint to his Majesty, and to have commenced legal proceedings against them.

The Duke of NORFOLK.—" My Lords, notwithstanding what has been alleged by Noble Lords, that no pledge had been held out to the Catholics of Ireland at the period of the Union, to grant, as a condition of that measure, the final emancipation their Petition now claims, I have had very

very strong grounds to rely that at least such an understanding was forcibly entertained; and I am therefore for going into the Committee, if it were only to investigate the terms upon which the Union was negotiated, in order to discover the truth. The Noble Person, under whose Administration that measure was negotiated (Marquis Cornwallis) has rendered many signal and important services to the British Empire; and none more important than the acquisition of that measure. I have been very credibly informed, that under that Administration, assurances were held out to the Catholics of Ireland, from the highest authority, that their final claims should be ceded, as a condition for their acquiescence to that measure; for, otherwise, the Union could not have been carried. The refusal now will be to them, therefore, a bitter disappointment: they will conceive themselves the dupes of false promise and deception, and their minds will feel all the irritation natural to men of any sensibility under such circumstances. A Reverend Prelate has talked of toleration in the mild and beneficent principle of the Church of England. In the spirit of that principle, therefore, I wish your Lordships to act on the present occasion, and not to persist in a principle of excluding British subjects from their natural and political rights, merely on account of their religious opinion. It is the Church of Rome which withholds from its votaries the right of exercising their own judgment upon religious topics, and to dictate to mens' minds the points of faith; from which it allows no man to hold a different opinion, even in a single iota. But to the energies of our ancestors we owe that resistance to such despotism over mens' minds and consciences which produced the Reformation, and with it the freedom of religious opinion. It becomes, therefore, the enlightened liberality of a British Senate, enjoying themselves that freedom of opinion, to allow to all men the right of thinking as they please in matters of re-

ligion. How can a belief in the doctrine of Transubstantiation, or any other speculative tenet in religious faith, influence any man's conduct on political subjects? or the difference between a belief of seven sacraments or two, render a man peculiarly fit or unfit for political confidence or Parliamentary Representation, who has the same education, is born and educated under the same Government, and holds the opinions in common with other subjects in this realm upon political topics? or, where is the ground of apprehension that men who have received all their opinions under a British Constitution, will, when they are admitted to participate in all the blessings of that Constitution, which they now anxiously pray, endeavour to excite anarchy for the purpose of subverting it, and of erecting in its place a foreign tyranny, and restoring the despotism of the Romish Church? If any thing could excite a disposition to anarchy, it would be the perpetual refusal of admitting the Catholics to the blessings of a Constitution, in which, once affiliated, every disposition to anarchy or even discontent must cease, and a real union of interests and attachments follow. A Noble and Learned Lord on a former night (Lord Redesdale) has complained much of the influence of the Roman Catholic Bishops, and their contumacy in assuming episcopal functions; but in a religious point of view, I conceive them to be as much bishops, and to have as good a right to exercise episcopal functions for the spiritual direction of their own sect, as any Right Reverend Prelate on that Bench. If they abuse those functions by any tyrannical exertion of them, they are indeed highly reprehensible, and would really deserve punishment. But the Noble and Learned Lord, at the same time that he complained of the influence of the Catholic Hierarchy, the slow progress the Reformation had made in Ireland, and the unwillingness of Protestants to reside in some districts, owing to that influence, stated also

also another cause, to which I am much more inclined to attribute those circumstances, namely, the state of the Protestant Churches in Ireland, of which the Noble and Learned Lord had drawn so deplorable a picture. How is it reasonable to expect that Protestants, having any sense of their religion, would reside in parishes, above one thousand of which, and many of them good livings, the Noble and Learned Lord had stated there are in Ireland, where there is neither Protestant Church nor Protestant Clergyman,—and which parishes, as he states, are anxiously sought for as sinecures by Protestant Clergymen, whose duty it is to preach the Gospel, and to propagate the Reformed Religion? or how can it be expected that Roman Catholics are to be converted to that religion in those extensive quarters of the country where it is never preached? I earnestly hope that this subject will seriously occupy the attention of Parliament, and that some means will be contrived to remedy so glaring an evil. But, my Lords, feeling no apprehension of the slightest danger from granting the prayer of this Petition, I shall vote for going into the Committee.

The Bishop of ST. ASAPH.—"My Lords, if I shall feel it my duty to resist this night the Petition on your table, my vote will not be actuated by any principle of illiberality, of bigotry, or uncharitableness. My Lords, I trust I shall find credit with your Lordships, I shall find credit with the public, I shall find credit with the Roman Catholics themselves, that I do not resist their Petition from any principle of intolerance, or from prejudiced or bigotted motives; for to every measure of indulgence heretofore brought forward in this House for their civil happiness and toleration, I have uniformly voted; and as uniformly resisted every measure of an opposite tendency. My Lords, I do not hold that the Roman Catholic Religion is one which enjoins disloyalty; I do not hold the maxim, that from

their scruples about the oath of supremacy, they are a disloyal people; I do not hold that they maintain any such belief as, that the Pope may depose Protestant Princes, or absolve Catholic subjects from allegiance to them; or that no faith is to be kept with Heretics, or persons of a different religious persuasion from themselves. I have heard the opinions this night quoted by the Noble Earl opposite to me (Earl of ALBEMARLE) from the faculties of the Universities of Paris, of Doway, of Louvain, of Alcala, of Valladolid, and of Salamanca. I am no stranger to those opinions, nor are they at all new to me. I know they have been declared by the most learned Catholic societies in Europe, who certainly are the best authorities extant—as to what is or is not the faith of the religion they profess. My Lords, I think the Catholics of this country a loyal people, and as fully entitled to indulgence, much more so indeed than many of those sectaries who do us the honour to call us their Protestant brethren, but who are not so much assimilated to us either in faith or principles. My Lords, toleration I agree to grant to the Catholics in the fullest extent that the exercise of their religion and the protection of their properties and persons can require; but this Petition is for political power. It is for opening to Roman Catholics not only the Parliamentary Representation of the Empire, but for allowing them to fill the principal executive offices of the State. But though I am disposed to go the full length of toleration, I cannot consent to enlarge their political influence by extending to them such powers. They are relieved from all disabilities that were restrictive on their liberty, their happiness, and their civil rights. They are completely emancipated on those points; but I never can consent that this House shall go into a Committee, for the purpose of considering whether it is fit that a Roman Catholic may be every thing but KING in this country; for to that, in my plain understanding, the Petition on your table goes; and if it be so, all the power of my intellects

intellects cannot find out the subtleties on which it can be defended. I cannot conform to the doctrine that the religion of the individual is of little consequence in the man to whom the powers of the State are confided. I should be sorry to see the most loyal Catholic in his Majesty's dominions sitting as Lord Chancellor on that wooolsack, or as Chief upon that Bench, so ably filled by the Noble and Learned Lord near me (Lord Ellenborough, Chief Justice of the King's Bench); nor can I consent to such a principle as that Roman Catholics should be admitted to fill the other great offices of the State. Noble Lords have given some instances of Catholics being employed in important situations by Protestant Governments with great advantage; but those were despotic Governments, in which the sole chief power was vested in the Prince; and the officer being dismissible at the pleasure or caprice of the Monarch, held no permanent power or influence, as in our free and popular government. But it was afterwards well argued by another Noble Lord, that it was the ancient policy of other nations to have all the high officers of the State, of the religion of that State. But what has been the argument in favour of this measure to-night? Why, That excessive toleration cannot be liable to abuse, but must tend to the security of the Constitution! But what was the consequence of adopting such a principle in France? Neckar, the Protestant Counsellor to the late King, was shortly afterward at the head of the Revolutionary Councils in Catholic France, while the representation of the country was afterwards thrown open to sectaries of all descriptions; men of any faith or of none, speedily led the way to all the anarchy and sanguinary horrors that have since scourged that country. I am perfectly aware of the distinction taken between subjection to the Pope in his spiritual and in his temporal capacity; but I think it scarcely possible to suppose the spiritual power so completely detached, as not to involve submission also

also in temporal things. The Catholics have certainly gone a great way in disclaiming the authority of the Pope; and have sworn, that neither the Pope, nor any foreign Potentate, has any right to any power, temporal or civil, directly or indirectly, within these realms. Some objections have been made to an indirect influence through spiritual means; but this the Catholics have solemnly disclaimed. A Noble Lord seems to think that there is some difference between the laity and the clergy on the subject of the oath respecting the Protestant Succession; and that some of the clergy prohibited the laity to take it. The real stand they made was this, That it contained some theological dogma, totally new to them; and it was to this the apostolical vicars objected, and to which I, as a Protestant Bishop, should have enjoined my priesthood to object, in a similar case. Yet, notwithstanding the opposition of the clergy to that oath, every one of the laity have taken it. But if the Roman Catholics are relieved from the tests of which they now complain; you cannot refuse to other sects of Dissenters the repeal of those tests of which they also complain; and the natural consequence would be, that all the parties thus admitted to seats in Parliament, or places in power, would combine their influence and authority to overturn the Established Church! In my mind, my Lords, the House has fairly discussed this subject with dignity and moderation, and as fully in detail as it could have been done in a Committee; and it does not appear to me to be the sense of your Lordships that what is claimed by this Petition can or ought to be ceded. It has been asked, Will you not go into the Committee for the purpose of enquiring what may be safely granted? for though you will not grant all, Will you grant none? My Lords, in my mind, we have already granted to the Catholics every thing which we can grant, consistently with the security of our Protestant Establishment, and every thing which they could

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ask necessary to rational toleration and to civil liberty, in as full a degree as all other his Majesty's subjects, liable to the same tests, which they refuse. I profess myself against granting to the Roman Catholics the Powers of the State which they claim by this Petition, and therefore I am against going into the Committee. A Noble Duke seems to think there is no harm in a Roman Catholic Bishop in Ireland assuming the titular dignities of the Established Church, and exercising all the functions attached to their titular rank. But, my Lords, I cannot think that harmless which is done in direct violation of those laws which the wisdom of the Legislature has thought it proper to enact, and still to continue. We know of no such assumption avowed in this country. We hear of no Archbishop of Canterbury, or Bishop of Winchester, or Archbishop of York, in England. The title inded of Apostolical Vicar is assumed by some of their superintending clergy, who are considered on the footing of missionaries, and as acting merely in matters spiritual, for the maintenance of order and discipline amongst their inferior clergy. But, my Lords, what a Noble Lord has told us, of the Catholic Bishops in Ireland holding courts for the exercise of diocesan polity and jurisdiction, in cases of divorce, legitimacy, inheritance, and the like, is a most indecent assumption, for they have no such powers; and in attempting to exercise them they fly in the face of the law, and usurp a jurisdiction over his Majesty's subjects unknown to the Constitution, and which ought not to be suffered. If the Catholic Clergy will assume such powers now directly and openly against law, what are we to expect if you pass a law to confirm those powers? Will they not then wrest from the hands of the Established Ecclesiastical Courts in Ireland three-fourths of the jurisdiction in that country, to the production of incalculable mischief? But, my Lords, unwarrantable as this claim of the Roman Catholic Prelates in Ireland

appears to be, I am still more alarmed by the manner in which, as we have been informed by the Noble and Learned Lord, they exercise their spiritual authority. When the Noble and Learned Lord entered upon this topic, with a remark, That we here in England have no idea what excommunication is in Ireland—that it is really a dreadful thing, and seemed to make this the ground of some charge he had to bring against the Roman Catholic Clergy of Ireland,—my mind, I confess, was all puzzle and amazement. I could not imagine what this might be; and surmises arose the very contrary of that which I now understand to be the case. Excommunication in Ireland is a dreadful thing! Why, I said to myself, to a Christian, to one who really believes, How should excommunication, in the true meaning of the word in Ireland, or anywhere else *not* be a dreadful thing? Excommunication, in the true meaning of the word, is the separation of a Christian leading a disorderly life, disgracing his profession from, the Christian congregation; a banishment of him from the church. And this separation every Christian must consider as a state of great danger and peril; for as the promises of the gospel are all made to the church in its corporate capacity, and extend to the individual only as a member of that elect society (none but fanatics hold the contrary) to be severed from that society is to be excluded from all share in the blessings and promises of Christianity. This is excommunication; and this is certainly a dreadful thing! Excommunication, as it is practised here in England, I know very well in itself is no dreadful thing. It carries no terror with it, but in its secular consequences. But this is, because what we call Excommunication, is not really what the word means; and I have always considered the manner in which it is used among us, is little better than a profanation of a most sacred rite of discipline. It is used with us, merely as an engine to support the authority of the Ecclesiastical

Ecclesiastical Courts. If a man disobeys a citation, and persists in his neglect of it, excommunication is denounced; though the object of the citation should lie in some of these secular matters, which, by our laws, are submitted to the cognizance of these courts. The sentence is pronounced by a layman, without any thing striking in the manner of it; and, if the offender still persists, at the expiration of certain days, comes indeed a dreadful thing; he is committed to prison, by virtue of the writ *De excommunicato capiendo*, a writ issuing from a secular court; and there he must remain till, in the language of Doctors Commons, he has made "his peace with the church," *i. e.* till he has made his submission to the court. The person on whom the sentence falls, all the while finds not the burthen of any thing properly to be called a sin upon his conscience. He is not aware that he has offended the church;—for his imagination cannot identify the Ecclesiastical Court, in which a layman sits as judge, taking cognizance perhaps of matters of a secular nature, with the church;—and he perceives not that religion has any thing to do in the business. Such excommunication has certainly nothing dreadful in itself, but in the imprisonment only, which follows. Such was not the primitive excommunication. The objects of that dreadful sentence were none but notorious sinners: fornicators, usurers, idolaters, railers, drunkards, extortioners. It was pronounced with awful solemnity, in the full assembly of the church, by the bishop himself, or some person specially delegated by him. It produced the greatest consternation in the conscience of the sinner, and generally brought him to a sense of his guilt, and produced a reformation, which nothing short of this severity could have effected. When the Noble and Learned Lord said, that excommunication in Ireland was a dreadful thing, the surmise that naturally rose in my mind, was, that the excommunications of

the Irish prelates were something more resembling the primitive excommunications than that is which our courts call Excommunication; and I wondered how this was to be turned to the reproach of the Roman Catholic Bishops. But when the Noble and Learned Lord went on, he soon made me understand, that their excommunication is no less a profanation, though in a different way; but no less, if not more a profanation of the rite, than our practice. It is indeed a dreadful thing: but not dreadful simply by the alarm of the excommunicated person's conscience, but by the worldly distress it brings upon him. It is not simply a separation from the body of the faithful, but it is, to all intents and purposes, an interdiction *ab aquâ et igne*. No Roman Catholic dares to administer a crust of dry bread or a cup of cold water to the person under this interdiction: and the offence which draws down this horrible sentence, is any friendly intercourse which a Roman Catholic may hold with Protestants. My Lords, this is an abominable abuse of the power which Christ has placed in the hands of the governors of his church; not to destroy the worldly comforts of men, but for the salvation of their souls. No precedent is to be found for such tyranny in the conduct of the apostles. The first instance of an excommunication upon record, took place in a very early period, in the church of Corinth. A member of that church was leading a most flagitious life; and the process of the excommunication was this:—The apostle St. Paul, not being able to attend in person, issues his peremptory mandate to the church of Corinth to assemble, and in full congregation, "in the name of our Lord Jesus Christ, and with the power of our Lord Jesus Christ, to DELIVER the offender UNTO SATAN," that is, to expel him from the church, by which he would be deprived of those assistances which the church affords to resist Satan, "for the destruction

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of the flesh ;"—not that the man was to be starved—driven from civil society, and reduced to perish with cold, and hunger, and thirst; but for the mortification of the carnal appetites; for the flesh here evidently signifies the appetites of the flesh: and this flesh was to be thus destroyed, to this intent and purpose, "That the spirit might be saved in the day of the Lord Jesus." And the spirit in that day will be saved; for the man was brought to repentance;—and, upon his repentance, the apostle writes to the church again, to receive the penitent again into their communion, and to "confirm their love to him." And it appears, that offenders under this dreadful sentence were still treated with great charity and commiseration. For thus the same apostle writes to the church of Thessalonica:—"We "command you, brethren, in the name of our Lord "Jesus Christ, that ye withdraw yourselves from "every brother that walketh disorderly. And if "any man obey not our word by this epistle, note "that man, and have no company with him, that "he may be ashamed. YET COUNT HIM NOT "AS AN ENEMY, BUT ADMONISH HIM AS A "BROTHER." Very different this from the despotism which we are told is exercised by the titular Bishops in Ireland over persons of their own communion! My Lords, in this state of the Roman Catholic Hierarchy in Ireland, it would be in vain to go into a Committee, to take this Petition into consideration; for certainly nothing of political power and influence can be conceded to the Roman Catholics in Ireland beyond what they already enjoy, unless their hierarchy can be reduced to a less offensive form, and checked in the monstrous abuse of their spiritual authority. I should hope that neither of these things is impracticable; that both may be effected by the influence of persons of rank of that persuasion with their pastors, concurring with government in mild measures for the attainment of these ends. But if these ends cannot

cannot be attained by the concurrence of the Roman Catholics themselves with Government, I confess, we seem to be reduced to this dilemma: Either this hierarchy must be crushed by the strong arm of power (God forbid the dreadful necessity should arise) or the Roman Catholic Church must be the established church of Ireland. My Lords, if the thing were *res integra*; if we had now to form a constitution for Ireland *ab initio*, I have no hesitation in saying, that it might be matter of grave deliberation which of the two measures should be adopted. But this is not the case. The Irish constitution is settled; settled long since upon the basis of Protestantism: and that constitution, so settled, has been recently confirmed by the *pacta conventa* of the Union. When I speak however of crushing the Roman Catholic Hierarchy in Ireland, I mean not that the Roman Catholics of that country should be deprived of the superintendence of Bishops; but their bishops should not be allowed to assume diocesan jurisdiction, in exclusion of our own prelacy, or even co-ordinate with it; nor should they be suffered to domineer in the manner we are told they do.

" My Lords, if these difficulties stood not in the way, I should be ready to go into a Committee: still I should oppose the Prayer of the Petition, in the extent to which it goes for this among other reasons, that I think a compliance with it would be the worst thing that could befal the Roman Catholics, as well as ourselves. The immediate effect of it, I think, would be, to revive that detestable rancour between Protestants and Roman Catholics, which for so many years has been the disgrace of the western church, but is dying away if we only let alone what is well."

The Duke of NORFOLK explained, that in speaking of the legitimate authority of the Catholic Bishops in those countries, he meant it merely in a spiritual sense.

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Lord ELLENBOROUGH.—" The anxiety and alarm which, during the long suspended agitation of this important question, have been excited in my mind, as to its probable effect on the peace and tranquillity of the country, have from various indications of the public sentiment respecting it, in a great measure subsided, before the immediate discussion of the question in this House; and, from the circumstances immediately attending the discussion itself, which (except during a short and painful interval in the course of this evening) has been uniformly temperate and decorous, and such as became the wisdom and gravity of Parliament, my alarm and anxiety have now wholly ceased. And I am convinced that the debates on this momentous subject will, when known, be as satisfactory in the result to those whose rights and interests are the object of these debates, as they are honourable to those by whom they were conducted.

" If the question was to be brought forward at all, which I once regretted, but now rejoice has been the case, I am happy that the claims of the Roman Catholics have been put under the protection of the eminent person by whom they have been so ably and strenuously contended for in this House. The Roman Catholics must be convinced that they have had a sincere and zealous, as the House is witness that they have had a most powerful and consummate, advocate in the person of the Noble Lord.—With a view to the quieting of the question at present, and the preventing its recurrence at any future period, it was well that the defence of the Roman Catholic claims had been entrusted upon this occasion to no feebler arm: what has failed now is not likely to be advanced with equal energy and effect, or with better hopes of success at any future period. My Lords, in the vote I am about to give upon this question now under consideration, and in the reasons I am about to offer to your Lordships for that vote, I trust that no person will be so uncan-

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did as to suppose that I am either an enemy to the full and free *toleration of the religious opinions* and worship *of my Roman Catholic brethren* in Ireland, in the most extended sense of that word, or averse to those indulgences in respect of civil rights, which have in a large and liberal measure been afforded them by Parliament during the last twenty or twenty-five years of the present reign,—although, perhaps, I might at the time have paused a little upon the prudence and expediency of granting some of the particulars that have been granted; viz. the elective franchise, and a capacity of being included in the commission of the peace. But I do not repine however at any thing which has been hitherto done in their favour, much less wish that any part should now be recalled or withdrawn. I believe, indeed my Lords, that no such wish exists in the minds of any of your Lordships. I am sure it does not in the minds of my noble friends against whom an insinuation of this kind was directed in the heat and eagerness of debate on a former night. What our Roman Catholic brethren have acquired by the liberal grant of a bestowing and confiding Parliament, let them, under the solemn faith of Parliament pledged to them for its continuance, still enjoy. I will not anticipate a possibility that a breach of the implied condition which is annexed to every legislative provision for the benefit of individuals, should draw the expediency of its allowed continuance into question at any the remotest period of our future history. The question now before us on this Petition, is not a question of Toleration in the enjoyment and exercise of civil and religious rights, but of the Grant of Political Power. All that toleration can require, in respect to civil and religious immunity, has been long ago satisfied in its most enlarged extent. At the commencement of the gracious and beneficent reign of his present Majesty, the Roman Catholics of both parts of the united kingdom, especially of Ireland, were encumbered and weighed down

down by the grievous pressure of many rigorous restraints, penalties, and disabilities. It became the generosity, it became the wisdom of Parliament (for on such subjects generosity and wisdom are the same) to emancipate them from these burthens; and by several successive statutes, in the space of about fifteen years, they have been accordingly so emancipated. They are, in respect of property, capable of inheriting and taking by devise for their own benefit, and of alienating and disposing of property in all such ways as it is competent to any other of his Majesty's subjects to take and dispose of the same. The education of their children, and the choice of their marriages, are equally unrestrained to them. The enjoyment of their religious worship is equally free and public. The avenues to emolument and eminence in the practice and profession of the law, are equally open to them with their Protestant fellow-subjects. The right of serving on grand and petit juries, and upon all inquests civil and criminal, is the same to them as to others. The right of voting in counties for Members of Parliament has been conferred on them; a capacity to become Justices of the Peace is capable of being communicated to them by his Majesty's Commission of the Peace, in the same manner as it is to other subjects; that is of course, under the check and control of a sound discretion to be exercised on the part of the person holding the great seal, as to the objects to which it should be granted. All military and naval commissions, except those of principal command, and all offices, except a very few of the great offices of state, and the higher judicial offices, are attainable by them.

If, in the beginning of the year 1778, any person had ventured to predict to them, that such would in the course of a very few years be the condition of a people then labouring under the restraints, penalties, and disabilities I have alluded to, he would have been regarded as a rash and hardy utter-

er of a vain prophecy, which had not the remotest chance of ever being accomplished. However, in the compass of fifteen years, by the gradual removal of civil and religious, and of some political restraints, they have attained the accomplishment of all which, in their relative situation to the establishments of the country, they can consistently ask, or we can, with due regard to our situation as trustees for them and others, consistently bestow. Their emancipation from civil and religious restraint as affecting themselves, and the rights to be enjoyed by them individually, is entire and complete; if it be not so, let it be shewn wherein it is in any instance defective, that the defect may be, if practicable, instantly supplied and remedied. Of the condition of the Catholics as his Majesty found it at the commencement of his reign, loaded with the penal restraints and disabilities which the sufferings and the fears of former times had cast upon them, and as he will hand it over to succeeding times, it may be truly said, *Lateritiam invenit, marmoream reliquit.*

Catholic Emancipation, as it is improperly called, if that term is meant to denote and designate any slavish subjection as still subsisting on their part either in respect of person, property, or the profession of religious faith, or the exercise of religious worship, has been fully attained. The only remaining emancipation which they are capable of receiving, must be acquired by an act of their own, by redeeming themselves from the foreign bondage and thraldom under which they and their ancestors have long unworthily groaned, and from which the state, as it has neither imposed nor continued it, has no adequate means of relieving them consistently with the duty of self-preservation which it owes to itself. Every state claiming and exercising independent powers of sovereignty, has incidentally belonging to it as such, the power of binding its subjects by laws of its own, not only paramount to, but exclusive of

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any authority or control to be exercised by any other state whatsoever. In so far as any other state or person is allowed to exercise an authority breaking in upon this exclusive and independent power of legislation and enforcement of authority in one state, to that extent such state so intrenched upon is not sovereign and independent, but admits itself to be subordinate to and dependent upon the other. The declaration contained in the oath of supremacy, which expresses a denial and renunciation of the existence of any power and authority in respect of ecclesiastical and spiritual matters in any foreign state, potentate, or person whatsoever, is but the affirmance of a proposition which is logically and politically true as an essential principle of independent sovereignty, applicable not to this government only, but to every other government under the sun which claims to possess and exercise the powers of independent sovereignty.

It is not only true as a maxim of government, but essentially necessary to be insisted and acted upon also, in all cases in which obedience may become questionable, in order to give the State that assurance and test which it has a right to require and receive from its subjects, of their entire submission and fidelity in all matters to which the power and authority of the State can extend. But, it is said, that what is prayed by this Petition is not a matter which opugns the authority of the State in matters to which its authority extends. That the reserve made by our Roman Catholic brethren is only in favour of matters which concern God and their own consciences; matters of mere abstract faith and mental persuasion. That, however, is not so; the Pope, in virtue of his general spiritual authority, claims authority in matters of morals (*i. e.* of moral conduct, and which extends to all the acts of man) as well as in matters of mere faith; he claims and habitually exercises on some subjects a power of dispensing with oaths, and in that respect of nullifying

all human sanctions whatsoever, as far as they affect the conscience through the medium of oaths; he claims and exercises by himself, and delegates to others, an effectual, or supposed effectual, power of absolution. What fatal effects that power, as exercised by the Roman Catholic priesthood and applied to a credulous multitude, is capable of producing upon the civil and political condition of that community in which it is allowed to prevail, let the recent experience of Ireland during the late rebellion attest, where wretches, reeking with the blood of their murdered countrymen, have been purified from the guilt of past atrocities, and prepared for the commission of new, by the all-atoning virtues of Popish absolution; such a power as this over the conscience, engrosses and directs more than half the faculties and energy of the entire man, &c.—But, besides the spiritual power thus capable of being, and thus being in fact abused, the Ecclesiastical Power of the Church of Rome over its obedient Sons is enormous. It establishes and sustains, in the instance of Ireland, an Hierarchy dependent on the See of Rome as to the original nomination and subsequent control of its Bishops and Pastors, through the medium of which it enforces an obedience not in matters of faith only, but in temporal acts and concerns immediately connected with the duties and habits of ordinary life; not only in the payment of money for the maintenance of the local Ecclesiastical Establishment, or for such other purposes connected with their political œconomy as may be thought fit by the same authority to be enjoined, but in the performance also of rites and ceremonies, particularly that of marriage, from which all civil rites originate, and which they enjoin to be performed by their own ministers exclusively, thereby ousting the law of the land, and endangering or destroying the legitimacy of its subjects, and all rights of descent, inheritance, and representation founded thereon. The power of excommunication is, in the hands of their clergy, a most

most powerful and dangerous engine, not of spiritual and ecclesiastical only, but of temporal power. It acts at once upon all the comforts of domestic and social life in this world, and upon all the hopes and expectations of happiness in that which is to come. With what harshness and rigour, and with what daring defiance of the established law of the land, this most operative power of interdiction has been recently applied, not to a few individuals only, but to large multitudes of people, a Noble and Learned Lord detailed to us on a former evening. Why such an enormous conspiracy in the several parties concerned, against the established laws and government of their country, has, if fully known, been suffered to pass unpunished, I am at a loss to conceive. I can only account for it on a supposition that some insurmountable difficulties may have occurred in the obtaining of witnesses who would venture to come forward and state such facts upon oath in the face of their spiritual directors, or that a distrust of the disposition in local juries to convict under such circumstances has prevented the institution of such prosecutions as would otherwise be proper for the correction of such crimes. Certainly these, or some other adequate reasons, must have operated to produce a temporary impunity, in cases where the safety of the State and the protection of its subjects, from the enormous excesses of illegal authority, seem to have so much required the application of immediate and exemplary punishment. I am persuaded it could not proceed from a want either of zeal or courage in those whose immediate duty it is to call forth and apply the energies of the law on such important occasions; for I am well assured and know, that the public spirit and manliness which heretofore distinguished the profession of the law in that country, has by no means expired in the person of Lord Clare.

These are a few, and but a few, of the practical civil inconveniences which might be instanced as derived

rived to the state and its subjects from the authority of the See of Rome, spiritual and ecclesiastical, as it is exercised over the sons of its church; producing as it does a distracted allegiance in the same person, acknowledging and living under the temporal power of one sovereign, and bound in faith and morals by the authority of another, claiming to be his spiritual guide and governor, his ecclesiastical sovereign, and in effect, in all matters of supreme conscientious concernment, God's vicegerent and representative on earth.

It is denied that the effect of this authority was at all mischievously felt during the late troubles in Ireland; and, on the contrary, it is asserted that the Rebellion in 1798 was the mere effect of revolutionary principles, fostered, matured, and brought into action by republican leaders, who were not members of the Church of Rome.

I admit that the leaders of that rebellion, the Emmetts and O'Connors, were men of elevated views and conceptions, of minds too highly raised above the grovelling regards and credulity of the vulgar, to be subject to the weakness of this, or indeed of any other description of religious faith whatever.

" I will grant, if it shall be so required, that they were superior to all infirmities of this kind, that they were graduates of the highest class in the schools of republican philosophy, by which I mean " pure, genuine, unadulterated Atheism;" but the ranks of that army which their treasons brought into the field, were not so filled up. The Roman Catholic population furnished, as it *must*, the means,—and the priests in many instances, in their own persons, both the inducement and the example of rebellion, by standing forward as officers amongst them in the day of battle, and imposing for some time upon their superstitious and enthusiastic followers the most extravagant fables of their own miraculous exemption from the perils of fire and sword. I admit that their atheist leaders wished at first to give the mischief

chief a republican direction; but the religious frenzy of the multitude and of their immediate directors, soon gave it another, as some of the sanguinary and ferocious tragedies which were acted at that period too truly and too fatally testified. Any person who will take the trouble of referring to the history of that calamitous period, and will afterwards recur to the history of the rebellions of Tyrone and O'Neil, will find the transactions of these several periods but too genuine counterparts of each other, and too disgusting a resemblance prevailing between them both, as well in cause as effect. Both followed a period of extreme liberality to the Catholics, took place in a season of unsuspecting calm and security, and involved the country in more than the miseries and massacre which are usually attendant upon civil war. We were taught to expect, that far other consequences would have followed upon the liberal grants I have already alluded to. We were to have reposed with confidence upon the eternal gratitude of the whole Roman Catholic population of Ireland. Nothing however of this kind that I recollect, was exhibited in fact, beyond what appeared in a few public addresses of the day; a small return of mouth-honour; but neither the King nor Parliament which conferred, nor the immediate patrons of their cause, who induced Parliament to consent to confer these benefits upon them, were very long or gratefully remembered. Two of their first and most active patrons in 1778, had afterwards the unmerited misfortune to fall in the field by the hands of Catholic rebels.

Before we proceed to grant more, if more we could grant without a direct surrender of all securities of our Protestant Church and Government, it would well become us to consider how our past liberality and confidence have been requited. But we cannot grant more, particularly the boon which is asked, of the Admission of Catholic Members into Parlia-

Parliament, without putting in peril the whole Protestant Church and its rights, as by law established.

The Act of Settlement has provided for the Protestant Succession to the crown of England; it has made the being a Protestant the indispensable condition upon which the Crown is to be worn by any prince claiming under the limitation in favour of the heirs of the body of Princess Sophia,—*being Protestants.*

"It has not only required the King to be a Protestant generally, but to be of that class of Protestants which joins in *communion with the Church of England*; and it has excluded Papists by industrious description; for it provides and enacts (Section 2.) That all and every person and persons who shall or may take or inherit the said crown by virtue of the limitation of the present act, and is or shall be reconciled to, or shall hold communion with, the See or Church of Rome, or shall profess the Popish Religion, or shall marry a Papist, shall be subject to such incapacities as in such case or cases are by the recited act (*i. e.* of 1 W. and M.) enacted and established.

"So peremptory is the tenor of these provisions in exclusion of a Popish Prince from the throne of these kingdoms, that if (a case which is scarce within the extreme limits of actual possibility) his Majesty himself should become reconciled to the See of Rome, or profess the Popish Religion, the crown would in that case, by the instantaneous effect and operation of law, fall from his august and revered brows; and he would stand amongst us a mere unprivileged individual, as wholly divested of the rights, functions, name, and character of sovereignty, as the meanest peasant of the land: and can it then be supposed that when such industrious pains have been taken by our ancestors to secure to the kingdom a Protestant Prince, that it should be left at large whether his Parliament should be Protestant

or

or Papist? But this was already provided for by the test-acts in the reign of Charles II. which shut the doors of Parliament in both Houses on persons who do not take the oaths of allegiance and supremacy, and subscribe the declaration against Popery.

These restrictions on the parliamentary function and character, it is now proposed to repeal; and thus the King may be surrounded not only by Ministers of opposite and conflicting religions, but may find in the same persons a divided and distracted allegiance between *his* rights as their *temporal sovereign*, and the rights, spiritual and ecclesiastical, of the Roman Pontiff.

It is obvious to the most careless observer, that the measures of Government would be enormously clogged and impeded by the close junction and mutual adherence of the Catholic Members, amounting in the aggregate to a number in England and Ireland sufficiently large to enforce from a Minister a degree of condescension and deference to their demands in favour of the Roman Catholic Religion, by which the Protestant Religion might be undermined and endangered.

But if Roman Catholic Members are to have seats in Parliament, there must be also vested in them a capacity of becoming, as well as others, the King's Ministers. If the King's Ministers are to be taken out of the body of Catholics, of what avail will it be that we have secured to us, by the Act of Settlement and the Coronation Oath, the solitary individual Protestantism of his Majesty? So that at the last, the whole susbtance of the provision, made with so much anxiety and solemnity by our Protestant ancestors, will become entirely futile and elusory; for the Test-Acts, which preceded the Act of Settlement, and were the foundation on which alone it could practically rest, must of course be done away before the Catholic Members can take their seats in either

House; the removal of which tests will certainly on principle, and by probable if not necessary influence in point of fact, effectuate a total subversion of the Protestant Church as established by law within these realms. I think, my Lords, it will scarce be denied by any of those, upon the credit of whose assertions your Lordships would be disposed to place reliance, that the real aim and object of the persons who so strenuously contend for conferring a representative capacity on Roman Catholics, is, through the means of such representatives, to procure for the body at large some further advantages in the way of a recognized Church Establishment, under the immediate authority of Parliament. Upon this head, waving for the present all objections whatever to the religious faith and doctrines of that Church, and supposing, what I by no means admit, that the points of faith and doctrine in which our Church differs from theirs, are of less essential practical importance, as affecting moral conduct, than they appear to me to be; allowing them to entertain, and as publicly as they please, to profess a belief in transubstantiation and in purgatory, to practise the invocation of saints, and to believe and inculcate the belief of (what Protestants consider as) a legendary chronicle of unauthentic miracles; giving them all facilities of public and private worship and profession of faith on these and every other subject, if there be any yet wanting, and required on their behalf, still an establishment for their Church, concurrent with that of the United Church of England and Ireland, exceeds even the competence of Parliament itself, constituted as it is, to bestow. By the 5th article of the Union, it is declared that "the continuance and preservation of the said United Church as *the Established Church of England and Ireland*, shall be deemed and taken *to be an essential and fundamental part of the Union.*" By *fundamental* is meant, with reference to the subject matter, such an integral part of the compact of union formed

formed between the two kingdoms, as is absolutely necessary to the support and sustaining of the whole fabric and superstructure of the Union raised and built thereupon; and such as, being removed, would produce the ruin and overthrow of the political union, founded upon this article as its immediate basis. The words, "the Established Church," import, that there shall be only one church of that description, and which shall alone have the privileges, character, and denomination of an Established Church annexed to it. These terms necessarily exclude any other co-ordinate and concurrent establishment; every other church which has any thing beyond what we commonly understand by the word *toleration* allowed to it, may be considered as so far established within the meaning of this article; and the union of course, in virtue of such allowed establishment, not only to a degree impugned and violated, but by the express letter of the precise and peremptory provision referred to, absolutely deprived of its very essence and foundation; in other words, substantially destroyed and subverted. I will hope, therefore, that on further consideration the utter impracticability of such a project, consistently with the good faith of the two kingdoms solemnly pledged to each other at the period and by the compact of the Union, will be so apparent to all who are at present striving for its adoption, as to dissuade them from the further prosecution of a measure, which, as it must commence in a violation of public faith and political rights, must also terminate in disappointment and dishonour.

"I am one of those, my Lords, who labour under an unfortunate persuasion, that even if this could legally be, and in fact were granted to them; that if the Roman Catholic Religion were already established in Ireland in some degree of communion and participation of privileges with the united church, that even this grant and indulgence, large as it might now appear to us, would be followed by

fresh demands and increased importunity. What assurance is there that they would rest contented with this boon? or would not the broad banners of papal supremacy be immediately unfurled, and the exclusive domination of the Romish Church in Ireland be authoritatively claimed on the ground of this very concession, and of that majority in the population of that country, which alone confers the right (as they contend) of establishing the Protestant Religion as the Religion of the State in this country? Compared with the value of this ultimate prize, the objects hitherto obtained in the struggle would be vile and worthless in their estimation.

> Jam tenet Italiam, tamen ultra pergere tendit
> Actum inquit nihil est, nisi pœno milite portas
> Frangimus et mediâ vexillum pono suburrâ.

" Before it is yet too late, I for one am disposed to rally round the standards, and preserve the altars of my country. The palladium of our Protestant, and indeed of our political security, consists principally in the oath of supremacy, and tests connected therewith, and (as more particularly concerns Ireland) in the provisions contained in the 5th article of our recent union with that country, against every attempt to weaken these safeguards of the constitution. I, as long as I live, and am furnished with faculties either of body or mind enabling me to struggle with effect, will manfully struggle, and, as far as in me lies, will avert the mischief which must result from the admission of persons (owning and yielding, as they do, an imperfect and defalcated allegiance to the state) into the entire and perfect rights of completely affianced subjects.

" Not being able, my Lords, to feel any material degree of evil in the present state of political restraint, as it is necessarily for their good as well as ours, and in the prevention of common calamities affecting us all, applied to our Roman Catholic brethren in Ireland; and seeing a sure prospect of enormous and incalculable mischiefs before me, which

which must immediately result from a change;—as a subject interested in the safety of the crown and kingdom; as a Protestant interested in maintaining the possession of that pure and reformed religion, which having been in times past preserved and sanctified to us by the blood of our ancestors, has been by God's providence long and firmly established in these realms, and which is inseparably knit together in one system with all our civil rights and liberties, with our best means of happiness here, and our best hopes of happiness hereafter,—I feel it my duty, my Lords, *now and for ever*, as long as the Catholic Religion shall maintain its ecclesiastical and spiritual union with and dependence upon the See of Rome, to resist to the utmost of my power this and every other proposition which is calculated to produce the undoing and overthrow of all that our fathers have regarded and ourselves have felt, and know to be most venerable and useful in our establishments both in Church and State.

The Earl of WESTMORLAND.—"My Lords, having been one of his Majesty's servants at the time the Union was framed, having been in some degree alluded to in the course of this debate, I trust the importance of the proposed measure will be my excuse, however ably the subject has been debated, for stating the grounds of the vote I shall give this night. Having, whilst I had the honour of representing his Majesty in Ireland, twice given his Majesty's sanction to important favours to the Roman Catholics of that kingdom; having been twice thanked by that body, and assured that the period of my administration would ever be remembered with gratitude by the Catholics of Ireland, I trust, in giving my decided negative to the motion of the Noble Lord for a Committee, it is unnecessary for me to disclaim all motives of superstition or bigotry, or a want of liberality or toleration. To toleration in the exercise of his religion and enjoyment of property, I hold, that every subject,

ject, except under imminent circumstances, has a right; beyond this, the exercise of political power is a question not of right but of expediency; a right which every state has exercised, in defiance of all the new theories, in defiance of the doctrines of the Rights of Man, and the bleeding example of the French Republic.

"Before I enter into the discussion of this question, I will preface two observations: First, Notwithstanding the new opinions, that in this country the ecclesiastical establishment is inseparably connected with the State; with it the country has grown to greatness, and whatever has a tendency to weaken or destroy the establishment of the church, tends to the destruction of our monarchy, our liberty, and our political existence: Secondly, That all the examples that have been produced of persons of different religions being allowed to serve the state in other countries, in no degree apply to this kingdom, as those countries are subject to arbitrary government; and I will venture to say, that no instance can be shewn of a free state with a free parliament, in which persons professing a faith distinct from that establishment, have obtained much weight and consequence.

"In discussing this question, it should be considered, What is asked? How what is asked is to be attained? and, What is to be substituted in the place of that you take away?

"That which is asked is Catholic Emancipation: a term equally unfitting for this question and this assembly. Emancipate the Catholics! Do they require the prætor's wand, to be released from servitude, to hold property, to be protected in their persons and property? Why, my Lords, they are as free as any subjects in the world. Do you talk of emancipating copyholders, custom-house officers, excise officers? The term, indeed, as it was *first* intended, applies to emancipate Ireland, that is, to separate

separate Ireland from the Government of and connexion with England.

" But what is asked? To abolish all distinctions between Protestant and Papist, and to place the Papist upon an equality with the Protestant; for, say the advocates of this measure, whilst any distinction remains, however high or special, the grievance remains. For this purpose then you cannot move a step without the repeal of the test and corporation-acts. Nay, you must also repeal the act of supremacy and uniformity, the bill of rights, the act of settlement, the act of union with Scotland, and after, the king's coronation oath. There perhaps will arise a question between original compact and the supremacy of Parliament. Unquestionably, our laws are not like those of the Medes and Persians, that alter not; no Parliament has greater power than the succeeding one; but considering the solemnity attendant upon these laws, it is most unwise to raise doubts, and agitate the minds of men upon points which may strike at the settlement of the crown itself, without most urgent necessity, without being convinced, first, that you will do no harm; next, that you will do essential benefit; and, lastly, that you have a plan to establish in place of that you mean to take away. Now, what are the reasons assigned for this measure?—that it will tend to the settlement and tranquillity of Ireland. If I really thought it would have that effect, I would enter into a consideration of it:—but it is because I am of a diametrically opposite opinion, I am decidedly against it. Is it likely to tend to the tranquillity of a country composed of two descriptions of inhabitants, the one possessed of the property and the magistracy, few in number, contending and protecting themselves against the more numerous class, to open every situation as a scene of contest? I think the first operation would be, to make the country a scene of confusion, corruption, and riot, not only for Parliament but for magistracy,

and

and for situations in all the towns, as described by Lucan,

> Lethe lisque ambitus urbis
> Annua venali referens certamina campo.

The priest at the head of his flock, leading them to every outrage, and religious bigotry carried to the utmost extent, the power of the Protestant landlords would have no effect against a religious combination.

" Next, What are the causes of the discontents in Ireland? High rents, heavy taxes, tithes, the property possessed by persons speaking a different language, of different manners and habits from the peasantry, a double clergy, the Protestant clergy in affluence, the Catholic in poverty. May I ask, Which of the grievances will this act touch? will it lower rents or taxes? will it alter the state of property? will it teach the landlords Irish, or the peasants English? will it lower tithes? will it make the Protestant clergy low, and raise the Catholic priest? Perhaps it may; and here is the difficulty. If this operates lightly and gently, as possibly it may, it would not affect the mass of the country; if it operates to affect the mass, it may operate to an extent fatal to British connexion. I have long thought that the discontents of Ireland arise from other causes than religious disabilities. Let us examine history; I shall not go into the discarded code, except to ask if so much was said upon it for the sake of tranquillity? First, I look to the year 1782; then all the grievances of the nation were brought forth by the patriots of that period: various:—Simple Repeal, Independent Parliament, Free Trade; not a word of religious grievances. I proceed to 1789; grievances enough, wrongs enough of a Noble Marquis (Buckingham) wrongs that will never be forgiven by those who wished to risk the separation of the countries for the sake of party, nor forgotten by those who know that, by his ability and firmness, he preserved that kingdom to his Sovereign, and the connexion between the countries.

countries:—the parties in Parliament and the Whig Club stating all the grievances; yet not a word of religious grievances. Is it to be believed, that the great patriots of the day should not have mentioned religious grievances, if any such really oppressed the people? I proceed farther, to the year 1791. Relaxation was given to the Catholics in England; the Irish Catholics naturally applied. What happened? The Irish House of Commons would not grant the claims; no,—they threw the petition off the table, twenty-three only objecting.

"Now, I argue not the right or the wrong on this subject; but this I contend: That the great patriots of that time would not have rejected these petitions if the state of the laws had been an oppression to the country. When, then, was the discovery made? Why, as soon as it was discovered that the Government of England wished to do every thing that was proper for the Catholics, then the grievance was made out, then the patriots began to cry out; and whatever was given, the determination was to ask for more; so the more we give, the more we shall be asked, till your Lordships have nothing more to surrender. What was the effect of the concessions of 1793? The Catholics were relieved from every law affecting the mass of the people. The profession of the law was opened, the magistracy, right of voting, freedom of corporations, trades, &c. What happened immediately? Universal insurrection, devastation, and cruelty! Is it probable that those who returned treason for kindness, and murder for favour, upon points that directly affected them, are likely to become mild and grateful subjects for favours that affect them only distantly and collaterally? Upon this point of the argument I beg to be distinctly understood. I do not bring this argument against the measure. If it is right, with a view to the Catholics of Ireland, let it be done; if it is right, with a view to the Catholics of England, if it is right upon general policy, let it be done; but let no man's mind be influenced

in deciding upon this question by the opinion that concessions of this nature are likely to tranquillize Ireland. We are told it arises out of the Union. How? Was it promised? Certainly not. Did the Catholics carry the Union? Certainly not. The question was previously rejected by both Parliaments; and it was a strange sort of expectation that what both Parliaments rejected before and at the Union, should be done as soon as they were united! But is it not well known that the measure could not have been carried if this proposition had been clogged to it? Is it not well known that the most zealous friends of the Union would have opposed it if this had made a part, considering it as leading to the separation of the countries? "But it will please the people of Ireland." There are two descriptions of persons in that kingdom. Will it please the Protestants of Ireland,—those who carried that great measure, those who preserved that country to this? It seems as if Noble Lords had forgotten that such people existed: I have not heard mention of them from any one; a people by whose loyalty and courage, in a situation unparalelled, that kingdom was secured; whose conduct was never equalled by any description of men in any country. Why, then, what must be done? I say, "Let the Union alone;" let that great measure alone; let it work, as it has begun, the settlement of that country, and let not the operations of that great measure be impeded by bringing the Catholics forward at an unfit season, to be made the tool and sport of British factions.

"It is insinuated that the Catholics have not the benefit of equal justice. Now, I defy any man to shew that equal justice in that country is not done to every man, of whatever religion. It is said that the Petition is signed by no priest. From this, three observations may be made: First, That the priests disapprove of the tenets and declarations contained in the Petition, and do not choose to give it their countenance; Secondly, (the one which surprized

prized me, and which the Noble Lord seemed to countenance) That, as its requests did not affect their order, they did not choose to sign it; that it did not go far enough, and therefore did not deserve their application. To neither of these observations shall I give any weight; but I will give one more fitting the conduct and character of that reverend body of the superior clergy, of whom, from every thing I experienced, I shall always speak with respect. The reason that I conceive why the priests did not sign the Petition is, that they disapproved of the season; that they, who knew the state and temper of their own people, the state and temper of the Protestants, knew that the time was unfitting for the discussion; that neither party had forgiven the sufferings and injuries of the late rebellion; and that to revive the consideration of this question, would only be to revive the horrors of the rebellion. They therefore, in which I concur with them, wished to postpone the consideration of their situation to a more favourable moment; and when, as was ably observed, so very few persons have signed this Petition from several parts of Ireland, it may be argued that a large portion of the Catholics concur in this opinion with the priesthood.

" Having looked at this question as it related to Ireland, let us extend our view to its general effect. What is the state of England, of Scotland? Perfectly quiet; no religious jealousy; every man worshipping the Deity according to the form he approves. Will the Noble Lord ensure the continuance of such a state if this motion is complied with? And here an observation should be made:—The IrishParliaments, taunted as they have been as bigots and oppressors, in 1793 gave considerable privileges to the Catholics. Have the English done so to their Catholics, whose loyalty and good conduct has been unimpeached, and against whom suspicion never broached a whisper in their disfavour? The argument of the dangers attending the measures in Ireland not applying in England, why did not the Noble

Lords propose relaxations to the same extent? Because the state and temper of the country would not bear the proposition. What is the case of Scotland? Why even the laws of 1791 were not extended to that country. What is to be argued from this? That those who had the management of Scotland, knew the state and temper of that country would not bear the discussion; that it would be injurious to the Catholics, injurious to the Protestants. May I then ask, What has happened to induce you to throw this measure wild upon the country? Does any man wish to renew the horrors of the year 1780? Is any man sure that the cry may not be raised that the Church is in danger? and may there not be some ground for this alarm?

It was very ably shewn, and I shall not again go over the ground, that this question might throw the one hundred Irish Members and the whole power of Ireland into the hand of the Catholics. Calculate what the Dissenters of this country are; add to these those of no religion, those willing to sacrifice the establishment to free themselves from tithes and taxes; consider the tempting state of the possessions of the Church as a source of taxation; contemplate the effects of an union of these bodies acting systematically, forming subscriptions; recollect that parties may be in this country who would go all lengths to attain and maintain power; and nobody can calmly say very serious attacks might not be made on the establishment of the Church. We are told this is not a time to exclude men from the service of the state for religious opinions. In the first place, In Ireland the Catholics are not generally excluded; and, secondly, It is not an account of religious opinions, but because they will not acknowledge the supremacy of the King, and come, in a general way of considering the subject, within the provisions of the 24th of Henry the Eighth. We are likewise told, that the fears of the Pope and Pretender are gone by; of the latter certainly, except

cept by arguments, there seem no attempts to set up his title. But the Pope has no power. It is not the power of the Pope, but the power of those over whom the Pope has influence, that is to be considered; and if that unfortunate person, having disgraced his reverend hand by anointing a usurper, is a prisoner in his capital, and under his authority has a communication with Ireland, and spiritual mixed with civil authority, appointing the Hierarchy of that country, who can deny that this is a solecism in politics, and cannot be contemplated without apprehension?

But what I most disapprove is, the manner in which this question is brought forward. Whoever proposes a change of so important a nature as this is, whoever proposes to alter laws, ought to explain the whole plan and the whole project.

It was said that, in the consideration of restrictive laws, all that excluded persons from equal power, the *onus* lay upon those to shew cause who wished for their continuance. Is it so? I know not how the people of England will like to hear that they are to shew cause for the protection of the corporations and their franchises against universal suffrage, of freeholders against copyholders; but for one, I am ready to take the *onus*. "What have you gained by the war?" was frequently asked: What was the Noble Lord's answer?—"That I have survived the shock under which other nations have sunk," *quod spèro tuum est.* I listened with considerable attention to hear what was to be proposed. The first Noble Lord (GRENVILLE) was all general, and seemed to profess only a compliance with the Petition in aid of this favoured sect, forgetting all others upon equal claims, though his argument went to the full extent to them; but no guard, no declaration of what was to be put in the place. I attended with great anxiety to the next Noble Lord in the blue ribbon (SPENCER) fully convinced by his mature judgment and discretion, that he had some

some distinct plan to produce, which, whilst it gave liberty in one instance, would set up some substitute and guard on the other. Not a word !

As to the third Noble Lord (HOLLAND) from the extent of his arguments, I heard at least nothing in favour of any religious establishment. We ought to see the whole plan and the whole project, that we may be sure, when we come into this Committee, any two of the proposers may agree upon what they would wish to have done. I shall be glad to see this new work of Vauban, and to know if I cannot proceed against it, by sap or storm, with more prospect of success than against the ancient castle, which has been fortified at every point where danger has threatened.

We have been told that this proposal is to strengthen the Church Establishment, to tranquillize Ireland, and secure the settlement of the Union; but I must not look at the professions of the proposer, but at the tendency of the project; and as I am convinced that its discussion at this improper and unfitting period will, instead of strengthening, shake the establishment of the Church; instead of tranquillizing, will convulse Ireland, and instead of cementing the Union, will risk the separation,—I must beg the Noble Lords not at such a moment to hazard the horrors and the miseries of religious contests.

The Earl of MOIRA expressed a wish that the question should be relieved from a great deal of extraneous matter with which it had been encumbered, and that it should be brought to the test of that plain good sense on which he conceived it to rest. He thought the complexion of the present times demanded that every exertion should be made to procure an unanimity of heart and mind in the cause of the country. It was very true, that to give the Catholics the privilege of admission to the few offices from which they were excluded, would be giving them little; but the gift would shew a disposition to conciliate

ciliate and to win their affections; which would be in that point of view important. He was surprized to have heard it said, that the Petition tended to throw the torch of discord into the country: on the contrary, he was of opinion that the object of it, if properly attended to, would tend to establish that harmony which was most essential to the country at the present moment. At the same time that he made these observations, he wished to speak with the utmost respect of the Established Church; but which he did not think would be endangered or injured by granting the Catholic claims. He wished, therefore, that the Petition should be referred to a Committee, for the purpose of considering whether any danger could really arise from conceding those claims; and if it should be deemed not prudent to grant the whole, whether any part of those claims might be safely admitted; as he wished it to be understood, that in the Committee he should certainly be desirous of weighing well each object which the Catholics had in view, and investigating in what manner it would operate with respect to the Church Establishment, before he gave his consent to the admission of the claim which it involved.

Earl DARNLEY.—" I am ready to confess my disposition to assent to the opinion of some Noble Lords on the other side of the House as to the time in which this question is agitated. Had I been consulted by the Catholics of Ireland, I certainly should have recommended to them to abstain from pressing their claims at a period which is generally known to be peculiarly unfavourable, for many reasons; into some of which I do not feel myself at all called upon to enter, but which are very generally known. I certainly think the present disposition of the country in general adverse to the proposition, however I may be convinced that it is founded in reason and justice, and must therefore, sooner or later, ultimately prevail. Since, however, the question is come to be agitated in Parliament, your Lordships will agree with

with me, that it could not have been placed in better hands; and that the propriety and moderation have been as conspicuous as the ability with which it has been introduced by my Noble Friend. And here I cannot avoid animadverting on the unfair and groundless imputations which have been cast upon the introduction of this proposition by some Noble Lords who have spoken in the debate, as if it could have been introduced as a party-question, or in any respect to answer party-purposes. My Noble Friend who has opened the debate, most solemnly disclaimed such an intention; and is fully entitled to credit for his assertion. But a better proof than the assertion of any man, is the manifest absurdity of such a proposition. The party with whom I have the honour to act, which has been sometimes honoured with the appellation of a Faction, is a faction, be it observed, composed of almost every thing in the country respectable for wealth, birth, and talents, and who certainly enjoyed, in a great measure, the confidence and good opinion of the people of England, which their opponents have forfeited. At such a period the introduction of a measure known to be unpopular, and in opposition to very general, however unfounded, prejudices, can never be fairly stated as intended to promote party views. In adverting to the different arguments which have been used by other Lords on the other side of the House, I have some satisfaction in speaking so late, inasmuch as the task has thereby fallen to others of replying to the speech of the Noble and Learned Lord (the Chancellor of Ireland) which I cannot but consider as one of the most extraordinary speeches that has ever been uttered in Parliament. Considering both the arguments used and the person who has used them, it certainly merits all the reprobation which it had received. I have, however, the greatest satisfaction in congratulating the House on the very different tone which has in general prevailed, and especially in the two last speeches on the other side (the Bishop of St. Asaph and Lord Ellenborough).

ROUGH). The Reverend and Learned Prelate, in particular, has expressed himself in a manner which does him the highest honour; and the only ground of surprise is the circumstance of the Reverend Prelate's appearing to be influenced by those extraordinary arguments and assertions which have been contradicted as unfounded, by Noble Lords best acquainted with the state of Ireland. The Reverend Prelate appears to have received from that Learned Lord some new lights with respect to the Catholic Religion, which have induced him to change his opinion as to the propriety of removing the political disabilities, according to the Prayer of the Petition, which he at first imagined might be granted without endangering the Established Church or the Protestant Succession. For myself, I can assure the House, that if I could be persuaded either the one or the other would be in any degree affected by the concessions prayed for, I would be the first man in the House to oppose them; but, according to my view of the subject, so far from having this, I am firmly persuaded that this measure of conciliation would produce a directly contrary effect, and, by uniting all the hearts of his Majesty's subjects, would afford the firmest security to our establishment both in Church and State: not indeed if these remaining concessions are made in the same spirit, and in the same ungracious manner as those which have formerly taken place in Ireland; but if they are granted (as I trust and am persuaded they sooner or later will) in the true spirit of conciliation and peace. And this leads me to advert to the History of Ireland with reference to this question, which has been dwelt on with so much self-complacency by a Noble Earl opposite to me (WESTMORLAND) who has administered the affairs of that country at the period of the last concessions to the Catholics. The period of the Revolution has been dwelt on by many who have spoken in the debate with satisfaction; and I am as ready as any man to do ample justice to that

great æra of the establishment of the civil and religious liberties which we now enjoy:—the Catholics of Ireland must, however, date from thence the extinction of their liberties, and the commencement of those sufferings which they have borne with such exemplary patience, and repaid with such distinguished loyalty. Till the auspicious reign of his present Majesty, their situation was that of the most abject slavery; and they were a proscribed race in their native land, compelled to submit to the most harsh and degrading system of laws that perhaps ever was framed. The policy of this system I do not arraign, severe and cruel as it was; it might, in some degree, perhaps, have been justified by political necessity; and I mention it only with a view to do justice to the exemplary conduct of the Catholics under such circumstances. During the Rebellion of 1745, when Lord Chesterfield was Lord Lieutenant, their loyalty and attachment were conspicuously manifested in favour of the Protestant King on the throne, against the Popish successor of him who had been expelled on account of his attachment, to their cause. Again, in 1759, when a French armament was ready to invade Ireland, for the express purpose of restoring the exiled family, and when a partial invasion had actually taken place, their attachment to the establishment, under which they suffered so much, was again most conspicuous. Under these circumstances, and in consideration of their loyalty and good conduct, as was expressly stated, his present Majesty was advised to remove some of their chains. In 1774, the oath of allegiance which they now take was enacted. In 1778, some of the most galling and degrading parts of the code of popery laws was abrogated. In 1782, they were admitted to the rights of property; and finally, in 1793, every thing that remained, including many important civil rights, was granted, with the exception only of those privileges for which they now petition. Undoubtedly, the Catholics of Ireland have received great and important

portant advantages during the present reign; but I cannot agree with those who are so forward to tax them with ingratitude, when I consider the manner in which these concessions have been made, especially the last and most important ones in 1793. Indeed, the concessions have all appeared to proceed rather from the fear of irritation in times of public difficulty, than from any thing like an enlarged and liberal system of policy. But this observation applies particularly to the last concessions. Your Lordships all recollect the manner in which the French Revolution had unsettled mens' minds, and the wild theories of liberty and equality which were generally entertained. The Irish Catholics, as might reasonably be expected, thought the moment favourable for urging their claims; and, in consequence, they petitioned the Parliament of that country in the year 1792, to grant the remaining privileges which they now enjoy. The Irish Parliament rejected their application with scorn, by a division of two hundred and twenty-eight to twenty-three. During the next recess, all the Protestant gentlemen throughout the country, corporations, and grand juries, backed by the authority of Government, pledged themselves to support this vote of Parliament; and yet, in the very beginning of the following year, the same Parliament and the same Government almost unanimously and tamely conceded what they had a very few months before so contumeliously rejected. No circumstance having intervened, except an increase of public difficulties, increased boldness of the Catholics, and this inconsistent change in the conduct of Government, can it be expected that they should feel any very lively sentiments of gratitude for favours so refused and so granted? When the Union was in agitation, I stated this instance of mal-administration in the Government, and profligate inconsistency in the Parliament of Ireland, as sufficient alone to justify that great measure; and I now again state, it to prove how lit-

tle reason the Catholics have for very warm gratitude to those who so conferred the favours they have received. Was it to be expected that, under such circumstances, the Catholic Body should rest contented, or that they should not be tempted to expect that what remained would also be conceded, or indeed, could not be refused by the Irish Parliament? This was another argument for the Union; for it was truly stated, that whenever the two Legislatures were united the Catholic claims might be discussed with every possible advantage; and that they might be safely trusted to the temper and moderation of the Imperial Legislature. The Catholics certainly might reasonably entertain the best hopes that they would be granted; for they must have felt that the United Parliament would be without those prejudices, and that intolerant spirit which they had fatally experienced in the Protestants of Ireland. I wish not to dwell upon the unhappy Rebellion of 1798, which has been more than once adverted to in the course of this debate, except to give my most decided opinion, that it ought not to be deemed a Catholic Rebellion: most of the leaders happened to be Protestants; it originated in the Jacobin Principles of the United Irishmen, to whom religion was a very subordinate, if any, consideration; and although it is true that a majority of those concerned in these sanguinary scenes were Catholics, and though the greatest atrocities were undoubtedly perpetrated by some Catholic Priests, it would be very extraordinary if both these circumstances had not taken place in the country where four-fifths of the inhabitants are Catholics, and where there was also necessarily a large number of ignorant and bigotted priests. That there were equal faults on the other side, I am persuaded. That the zeal of the Irish Protestants has been productive of consequences as fatal, I cannot doubt; but on this subject I forbear to dwell, because I know it would sound harsh to some of my hearers,

hearers, to whose loyalty and merits I am ready to do ample justice. My Lords, it has been said that the Catholic Body in general is not interested in this question, which only regards a few of the higher ranks; but I can never agree that the whole body is not degraded and insulted by this mark which is set upon them, in excluding any of its members from the chance of ever being highly useful to their country. "But," say their opposers, "We have given every thing else; we never will concede to them power. They have all the civil advantages under the State; but they shall not become *the State itself*." Now let us consider to what extent this power would go, supposing it granted to Catholics disposed to abuse it. The few seats they could obtain in this House, could never be considered of consequence. Indeed, exclusive of the five or six English Peers, who would afterwards have an irresistible claim, as it regarded Ireland only, not one single member, according to the present mode of election, could be admitted, unless nominated by the minister. The argument, with respect to the other House, deserves more consideration. That some Catholic Members would be elected is unquestionable; but I am inclined to think the number would be very small indeed. Some Noble Lords who have spoken, have maintained the extravagant supposition of the whole number of one hundred being Catholics. Others have maintained, with some degree of plausibility, that in those counties where the majority of freeholders were Catholics, the Members would of necessity be so likewise, grounding the supposition on the assertion that they would all be rather guided by their priests than by their landlords. I profess myself of a contrary opinion, even if you suppose that, after these concessions, the old invidious distinctions of civil and religious animosity combined, will necessarily be kept up. Much will depend on the manner in which the boon is granted. That it will, that it must be granted, sooner or later, I am prepared

prepared to maintain; for although I am not sanguine enough to expect a majority in favour of this Motion, I never can doubt that what I consider the course of justice, of sound policy, what I will even call the Cause of the Protestant Establishment, must and will finally prevail. Remove with a liberal hand, and with an enlarged system of policy, all civil disabilities on account of religion, and I am persuaded, that in a very few years, all sects of Christians will become equally good subjects; and it will never enter into any man's head to enquire Whether a Candidate for Parliament or for office is of the established religion or not? But we must not confine our views to the simple adoption of the measures prayed for in the Petition before the House, indispensably necessary as I may think them for the welfare of the British Empire in general, and of Ireland in particular. The abolition of the Catholic Hierarchy in Ireland has been called for, as necessary to the tranquillity of that country; but I so totally differ from the Noble and learned Lord, that instead of abolishing it, I would render it the means of reconciling to the State and to the Constitution the great mass of Catholic Population. I see no reason why the Bishops should not be placed under the protection of Government, and why they should not be both nominated by the King, and paid by the public. By such means, and not by the absurd proposition of converting the Irish Catholics to the established religion by translating the Bible into Irish, may we hope to see them good and loyal subjects, especially if the whole system of policy by which that unhappy country has been governed, should be reversed; and that, instead of keeping the people in ignorance and barbarism, a liberal and well-digested system of instruction should be adopted, and encouragement afforded to habits of industry, and respect for the laws.

Lord AUCKLAND—" My Lords, having expressed a decided opinion respecting the Petition of the

the Irish Roman Catholics on its first introduction into this House, I have purposely waited to this late period of the debate, that I might learn the sentiments of other Noble Lords. The discussion is now so exhausted, that I can compress what I have to submit to your Lordships within narrower limits than I should have thought right if I had spoken earlier. My Noble Friend who presented the Petition, has stated, That it involves the interests and happiness of four millions of people:—my Noble Friend might have said that it involves the interests and happiness of the whole British Empire. In agitating a question of such extent and magnitude, I am desirous to use a guarded and conciliatory language; but I must not be expected to sacrifice truth and fair argument at the shrine of flattery; nor will I be induced to withhold or extenuate any just reasonings that may present themselves to my mind. I see nothing improper or disrespectful in the style and temper of the Petition; nor indeed was it to be supposed that individuals making a great request, would express themselves in repulsive and offensive terms. I have not, however, adverted to the wording of the Petition so much as to its purport and objects; and it is well worthy of remark, that the whole bears a strong resemblance to the memorable declaration of James the Second, in 1687, for the liberty of conscience. There are in both instruments the same plausible professions of anxiety to conciliate and unite all religious persuasions, the same gracious promises to respect the property of the Established Church, the same appeals from the interests of trade, which always vibrate forcibly on a British ear, the same display of a generous earnestness to open every avenue of legalized ambition,—and all this as a prologue to the demand of a full and equal participation of power, and of the means of acquiring power. Your Lordships will recollect, that this declaration was soon followed by another, which notified that Papists had been appointed to all the principal offices

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of the State; and recommended to the people to send Papist Representatives to the new Parliament.

From the epoch of that inauspicious precedent in 1687, to the æra of French Fraternity and Irish Rebellion in 1798, the notions of an equality of Political Power had been suffered to lie dormant. During the greater part of that long period the Irish Catholics had been subjected to a system of intolerance and restraints much too severe to be defended, except on ground of a real or mistaken necessity; and even so lately as the 12th of his present Majesty, an Act was passed "to enable Papists to take not above fifty acre of unprofitable bog, with half an acre of arable adjoining, for not above sixty-one years."

The first measure of any extent in favour of the Irish Catholics was in 1778; they were then empowered to take long leases, and were relieved from various incapacities affecting both their properties and persons. The next material Act for their benefit was in 1781; when I was Chief Secretary, and a Member of the Irish House of Commons. It is well known that I gave no discouragement to that Act, which, in addition to various indulgences contained in it, enables Papists to purchase and to hold estates, with the exception of advowsons. I have gladly contributed to give to the Irish Catholics an interest in the soil, and consequently a more immediate attachment to the welfare of the community; but it never entered into my mind to allow them any share of the Powers of Government and of Legislature. The jargon of *Emancipation* was then unknown, the æra of modern illumination was not yet arrived,—that æra when it could be thought safe and practicable to maintain the limited monarchy and established Church of England without test-laws, and without any restraint or incapacities affecting any description of sectarists.

"The next and last concessions of any importance, were those which took place in 1792 and 1793. My Noble Friend who opened this debate, has been pleased

pleased to say that all the framers and supporters of those measures must reflect on them with pride and satisfaction. My near relation (Lord BUCKINGHAMSHIRE) has expressed a similar sentiment this evening; and certainly it is an amiable and natural weakness in parents to speak with rapture and admiration even of very depraved and ugly children. I have always contemplated the abrupt and improvident concessions of 1793 with dissent and regret; I have done so in common with two very respectable friends of mine, the late Lord CLARE, and the present Chancellor of the Irish Exchequer. Those concessions placed the Protestants of Ireland in a relative situation, which impressed on every observing mind the urgent necessity of a legislative union of the two kingdoms; and yet they tended to increase the difficulties of a measure which thus became essential to the peace and safety of the empire. But great as those concessions were, they only served to stimulate the appetite of the Irish Catholics for further claims; and, in 1795, the Lord Lieutenant (Earl FITZWILLIAM) shewed a strong disposition to gratify them to the full extent of their wishes. Happily he was not supported by the Government of that day, though it was composed of the same individuals who now urge the same measure for which they recalled the Noble Earl from his vice-royalty. The career of concessions to the Catholics was soon afterwards interrupted by that rebellion, over the horrors of which I wish to throw a veil, and afterwards by the discussions and arrangements which eventually accomplished the union of the two kingdoms. In the result, a period of comparative tranquillity has now been attained; and the Roman Catholics and their advisers have thought it eligible for the present application.

What then is the purport of that application? Nothing less than a full participation of all corporate franchises within the empire, and of all official, judicial, and legislative powers! In examining the

tendency of this gigantic grant (which in truth is of small moment to the bulk and general population of the Catholics) we must presume that it would be efficient; for if its operation were to be as insignificant as some Noble Lords seem to expect, there would be either a fallacy in the demand or a dupery in the concession,

" Perhaps it would not be difficult to shew that such a grant would be an infringement of a fundamental article of the Union with Scotland, and also of the fifth article of the Irish Union. But I wish to negative the Petition on a broader ground. My Noble Friend, whose eloquence and argumentative powers have introduced the application with every possible advantage to it, has admitted that it could not be stated as a claim of right. Certainly it could not. Every legislature has the inherent power of qualifying and restricting the possession and exercise of civil privileges for the benefit of the whole community. It is that power which regulates the qualifications of the electors and of the elected, the rights of succession, minorities, marriages, and all the limitations of property; it pervades the whole system of our laws; a denial of it would tend to individual representation, to an Agrarian distribution, to universal equality, and to general confusion.

" Still less can the Petition rest itself on the ground of toleration. The petitioners indeed allege, that they are " entitled to a toleration not merely partial but complete;" and yet they well know that they already possess what they describe, and that, *ex vi termini*, those who are tolerated cannot share the power of those who tolerate. In the benevolent temper of our toleration we do not restrain the exercise of any religious persuasion; but we feel and know that our own reformed religion is most congenial to the spirit of our free constitution; that the protection of the one is the protection of the other; and, above all things, that it would not be safe to admit within the pale of our

Government

Government and Legislature, a sect which professes a religion essentially adverse to our own. The tests prescribed by the wisdom of our ancestors for the exclusion of that sect, have nothing to do with toleration; they were framed on the plain and evident presumption of law, that he who receives the sacrament of the church is of the church.

I have been glad to hear it avowed by the Noble Mover of the question, that the Petition cannot rest on any assurances given or compact made at the time of the Union. In truth, it was impossible to make such a compact without the concurrence of Parliament; and if such a consequence of the Union had existed in the mind of any individual employed to frame the Articles, it should have been stated at the time, both in good faith to the Irish Protestants, and in the honest discharge of duty to the respective Parliaments of the two kingdoms. It will ever be a consideration of just pride to me, that I have borne no small share in adjusting all the details of that transaction; and I do not hesitate to declare, that if the concessions now proposed were in the contemplation of those with whom I acted at that time, their views were industriously concealed from me, and from others of their associates. It is indeed true, that, soon after the Union, there was, apparently, a sudden change in the opinions of some leading persons respecting the subject now in discussion. I do not impute any blame to that change, or doubt its sincerity, though I must deplore it. That change has given an irreparable shock to the confidence of public men in each other; and to it, perhaps, are owing many of the distractions and difficulties under which the empire has since laboured.

It is admitted, that the Petition is not grounded on any claim of right, of toleration, or any compact, expressed or implied, at the time of the Union, but merely on a question of expediency. In arguing the question, I will not cling with a blind attachment to the acts and systems of former ages, though

sanctioned by the settlement in favour of the House of Brunswick, and by the blessings resulting from it. I am well aware that the objects and principles of legislation must change with the times, interests, and exigencies of the day; but no doubt arises in my mind that the exclusion of the Roman Catholics from political power, contributed essentially to our free and happy constitution, and ought still to be maintained for its security. Nothing has happened to diminish my anxieties for the stability of that mild and true religion, which, by its precepts and influence, is so incorporated with our Constitution, that they must stand and fall together. If you admit the Catholics to a participation of power, you admit the enemy within your camp. All men have a natural desire to extend the predominance of the religion they believe; nay more, it is the sacred and prescribed duty of the Papist, if he be sincere in his creed, to undermine our Church; for he believes it to be fatal to the souls of its professors, and must feel that, in demolishing it, he is rendering a service to his fellow-creatures and to God. It is a fundamental principle of the Church of Rome to exercise spiritual dominion over the Christian world. The titular bishops, at their ordination, swear "to defend, enlarge, and extend the authority of the Roman Church, and of their Lord the Pope." Their metropolitans in Ireland avow the same obligation, and proclaim, at this hour, in their publications, that the spiritual power of the Pope is the same as ever. These doctrines are enforced by the priests. Religion is not similar to the ordinances of human institution, and capable of being qualified and restrained in its energies by law. The Roman Catholics love their religion; its principles are irreconcileable to other persuasions, and its hierarchy is incessantly and indefatigably active, and subject also to the occasional influence of foreign states.

If this sect should become co-ordinate in power with the reformed religion of the British empire; if we once admit the theoretical solecism of a Protestant

tant Monarch and Papist Councils,—we shall find ourselves involved in a religious anarchy.

The petitioners are pleased to assure us that they "do not seek to encroach upon the revenues of our bishops and clergy." Nothing is so false, in principle or in practice, as the notion of giving much, that nothing more may be asked—

> "The cruel something unpossess'd,
> "Leavens and poisons all the rest."

And though the dangers thus described are not imminent, still they are not so chimerical as to induce us to abandon the bulwarks we possess. The bars and bolts of a house may be removed, and yet the house not pillaged; but every prudent man will keep his bars and bolts. It would be a breach of our parliamentary trust to destroy or abandon the great outwork of that Constitution under which we have so long enjoyed such unparalleled blessings.

The Petitioners, by a sort of implied menace, have expressed "their anxious desire to extinguish all motives to disunion, and all means of exciting discontent." If there be any eventual responsibility in this business, it must fall on the heads of those who first agitate a question, of which they must have foreseen the result, if they had duly adverted to the known opinions of the several branches of the Legislature, of the whole Body of the Irish Protestants, and of the general mass of the British people. I will be guided, and, I trust, a large majority of your Lordships also, by a due estimate of the opposite responsibilities.

I cannot mean any disrespect towards the supporters of the Petition; I know they are as adverse as I can be to the equalizing doctrines that have taken root in the minds of many; but I must pause before I can accede to that levelling liberality which would consider the Episcopal Protestant Church, that of Scotland, that of Rome, and all the sectarists in the empire, as entitled in justice and expediency

ency to the same political privileges, powers, and functions.

My Lords, as we have seen, within a few years, many awful warnings of Providence in the fall of states and kingdoms, and in the vicissitudes of human affairs; chiefly owing to innovations in civil government and indifference respecting religious establishments, have we not good cause to adhere to a system of which we have had a long and beneficial experience? We have more to risk than any nation under Heaven. The present long and perilous war is directed against the spirit of innovation, to which so large a part of Europe has fallen a victim. Did it not commence for the safety of our civil and religious Constitution? So long as the ancient barriers of that Constitution shall be preserved, I am confident that we have nothing essential to fear; and yet I am not blind to the increasing dangers and protracted difficulties which still press upon us.

I will not contest prophecies with some of my Noble Friends, who are pleased to say, that the day cannot be distant when the demands of the Petitioners will be complied with. I see no such probability, even with the assistance (which I will readily transfer to them) of a few noble persons who vote now against the Petition, merely because they think "the present is not the proper moment."

"On the contrary, I hope and rely that the well-meaning Catholics of Ireland will see and be convinced, that the sense of Parliament is pronounced against their application, upon grounds of immutable truth and reason, and at the same time with all that good-will and affection which ought to prevail between subjects of the same Sovereign."

Lord KING lamented that there should be any serious difference at this crisis between the English Protestants and the Roman Catholics in Ireland; he wished all differences to cease, and supported the motion as a measure of wisdom.

Lord BOLTON having formerly held an high official situation in Ireland (Chief Secretary to the Lord

Lord Lieutenant) felt it his duty to express the opinion on this subject which he had formed upon much reflection. He conceived it extremely dangerous to grant to the Catholics political power, except under a control, which was by no means proposed, and which it would be difficult to devise: and he thought such an experiment the more hazardous, as a language of constructive menace had been held by many Noble Lords of great weight, in course of this discussion, who had said that, what is asked *must* be granted, to preserve the country from imminent peril of fatal discord and disunion that must follow a refusal. This was a language of direct intimidation, which could not be listened to for many reasons; for nothing could tend more to remove all limits to future demand until the very superiority of power might be claimed or assumed. The House too was exhorted and warned to concessions,—not merely for the sake of interest, but of self-preservation. But, on the contrary, he feared much more from the concession than the refusal. Some Noble Lords went so far as to insinuate pretty plainly that the House was encouraged to venture on rejecting the Petition, from a reliance on the loyalty and patience of the depressed and ill-treated Catholics. He would not hesitate to acknowledge his own reliance on the continued loyalty of these Catholics who had hitherto maintained it;—but that reliance would not be increased by increasing to the Catholics political power. These oppressive restraints no longer exist; and he would so far accredit their good sense, as to think that, with all the drawbacks on their privileges so strongly enumerated, they would yet prefer the station they now hold in the empire to any risk under any change to which they might look from the interference of any foreign power. They could be no friends to the Catholics who argued their cause so inconsistently, as at one moment to menace the country with the privation of all aid from them without submission to their claims; and the next, to rebuke the Legislature for its want of implicit

cit reliance on their invariable attachment. Was it wished by those who so urgently argued the necessity of uniting those four millions of Catholics cordially in the national defence, that they should be considered as actuated to such a purpose, at such a crisis, by motives of self-interest only, after all the favours they have received, and all the declarations they have made? But surely a much more generous and persuasive argument would be the manifestation of precedent efforts and exertions, from genuine patriotism, instead of conditional stipulations; but nothing could be more clearly necessary than that every species of menace or alarm, of unsteadiness or apprehension, should be completely extinguished on both sides, before an arrangement so important and delicate in its nature could be formed, with a view to its permanence. Quitting the course of general reasoning, he adverted to the period of 1783-4, when the Irish Capital was in a manner in possession of the self-organized Irish Volunteers. The voluntary readiness to take up arms on that occasion, which was urged particularly by the Catholics as a peculiar merit, was followed by an extreme reluctance to lay them down again, after the restoration of peace. Occasional votes of thanks to those Volunteers had been moved, and too readily assented to, by the Irish Parliament, as, in fact the object was to prolong the continuance of an institution not regularly acknowledged, which, in a different period, might well become a subject of great political uneasiness. This was accompanied with serious symptoms of internal disgust. But by a decisive vote of ultimate thanks to the Volunteers, with a recommendation to disembody and return to the occupations of peace, in which Government had the good fortune to be supported by the manly and powerful eloquence of a distinguished character (Mr. GRATTAN); at this moment, perhaps supporting, with his powerful energies, in another place, the prayer of this Petition, which many fear, if granted, would be more dangerous to the established

blished Constitution than were the unauthorized parades of some Catholic Corps of Volunteers. It was about this time, too, that the first Bill for an Irish Militia was brought forward, at the desire of Government, by the late Lord MOUNTJOY (who since gallantly fell in defending his country against the fury of civil commotion); and who, though the first to bring forward the Catholic Petition in Parliament, afterwards fell the first victim of a rebellion, in a great degree Catholic. The Noble Lord stated these circumstances, as well to develope the real state of the Catholic body, and the origination of those indulgences which have since so rapidly succeeded each other, as to mark the objects and designs which have actuated the movements of the different members of that body. It was a great error to suppose that the idea of complete Catholic Emancipation from all restrictions was only hinted for the first time in 1788 or 1789. The Noble Lord (GRENVILLE) who brought forward this Petition, had appealed to the experience of those who had resided, in official situations, in Ireland, to speak to the Catholic character and conduct. Other Noble Lords had ably and honourably done so; and he would now add such testimony as occurred to his own experience.

" The great change effected in the political situation of Ireland in 1782 continued unfortunately to have a lasting effect on the Catholics of all descriptions, ever afterward. From these might be dated the systematic restlessness, disorder, nay, absolute disloyalty, in a large portion of the lower orders, and the growing eagerness in the higher classes for place and power. Both adopted measures but ill chosen for success; but they decidedly marked the fast hold those objects had taken on the Catholic mind. They formed great expectation of advantage from the new-born independency of Ireland upon England; but shortly after, those hopes were changed to doubt, and then to despair;—murmurs and complaints ensued at their meetings, and dema-

gogues, and priests chosen from the lowest orders, educated abroad, and fraught with seditious principles, laboured to work up the minds of the people. They were taught to rely for every thing on the superiority of their numbers, and a separation from England. Relief from tithes and rents, and gain of property and provision without labour, were all to arise from this separation; and it soon became a cant word, and the bond of a dangerous Union. White Boys, and other prædatory associations arose, which though soon suppressed by the vigour of Government, still left behind them those germs of their principles that never since have been quite extinguished. The weight and influence of their higher orders, and particularly of their clergy, were considerably diminished; and have never since been regained. Their lassitude and tardiness in aiding to suppress the disorders alluded to, were observable to Government; and there appeared but too much cause to suspect that such aid was reserved for corditional compensation. In the beginning of 1786, Dr. Butler, the titular Archbishop of Cashel, a man of considerable talents and high family-connexion, and then considered the great organ of the Catholic Cause, addressed a remonstrance to Government, upon the disappointment felt by the Catholics at the lapse of a whole Session of Parliament, without any mark of favour to them. Long-sufferings, merits, and expectations were urged, and much mortification and discontent were expressed,—especially as Parliament was not engaged in the consideration of any foreign war, or other business of difficulty or embarrassment; and after expatiating much on their zeal in the volunteer cause, and their uniformly inoffensive and loyal conduct, the remonstrance concluded by saying, they would be satisfied for the present with some introductory privileges, such as the professions and honours of the Bar and Army, as preludes to the attainment of every thing else. The answer to this remonstrance expressed surprize at them atter, manner, and time of it; and at the

the same time reminded Dr. Butler and, through him, his community of the internal disorders and commotions then existing, excited by and confined to Catholics, and most prevalent where Catholic influence was the most powerful. It therefore denied the propriety of any remonstrance, expectation, or requisition for favours, while there was no mark of auxiliary exertion from the higher Catholics to support the tranquillity and good order disturbed lately by their own community. Several conferences followed, which ended in an offer on the part of Government to submit the claims of the Catholics to Parliament; but not without conditional professions of active gratitude. The hazard of such a reference was thought much greater than the probability of its success: but there was an end, for the time, to Petition, and Remonstrance, and soon afterwards, to the appearance of open and predatory disaffection. This was in the Administration of the Duke of Rutland; and the Noble Lord by no means meant to charge any temptation or feeling of disloyalty in the principal Catholics, but, on the contrary, to acknowledge and vindicate their loyal principles, and the many proofs of which they had shewn. But he must observe, that their unchangeable views to their great object of final emancipation from all restrictions, and even under their partial and temporary indulgences from time to time, was an obvious check upon the vigour of any zealous co-operation with Government. From all of which it was obvious, that allowing them to be good and loyal subjects in their present situation, yet they have an insatiable thirst for power.

He had, therefore, some doubts whether he should have consented to grant them even the elective franchise, or the removal of other disabilities in 1793. It was clearly obvious that such a grant would be made a step towards claiming representation; and who could even say this would bound their demands?

The Catholics did not seem to value what they already possessed or enjoyed by connivance. No penalties

or restrictions remain that can be felt by the great mass; nor would all that is now required add one grain to their real wants or wishes; and as to the few who could be benefited by the desired concessions, they are merely excluded from necessary regard to the security of our constitutional establishments, and from which in fact they exclude themselves, by refusing to take the same tests as Protestants. So long as there exists the uncontrouled dominion of factious demagogues, of whatever class, but especially of a monkish priesthood, over the minds of these wretched people, they will not be suffered to exert their resources with steady attention to any pursuit. With respect to the Catholic Hierarchy, it was an instance of connivance, a striking proof, admitted by the Catholics themselves, of the liberal forbearance of the Protestant Establishment; and what the danger to be apprehended in that quarter from granting power to the Catholics, was matter for serious reflection.

He had hoped an effectual remedy for all causes of alarm and uneasiness, would be found in the great measure of the Union; and in whatever light he had viewed the measure of Irish Independence, as inviting a danger of separation, he had altered that opinion in considering that independency as the great demonstrative proof of necessity for an Union; and though there was not yet time for obtaining all the good to be expected from that measure, especially in its effect upon the quiet and peaceable demeanour of the lower Catholics, still, however, he cherished the hope, that from the Union would ultimately arise a state of order and industry, productive of more solid welfare to the people of that country than all the imaginary schemes of good from it without emancipation. The Catholics at present possess ample means of comfort and prosperity. Let them be fairly estimated, cherished, and enjoyed, and they would produce an harvest of blessings: for the present, he dared not venture to dream of more which would be good for them or safe for us. But God forbid he should wish to circum-

circumscribe the ways of Providence, which might remove obstacles at present too strong for our attempt to clear away or pass by. There may be future reasons, however unexpected now, to prove the security with which the Protestants may grant the Catholics the fullest participation of privileges: they may, by habits of industry, good order, harmonious concord, social intercourse, mutual good-will, and reciprocal good offices, and by zealous patriotism and loyalty, give encouragement for unrestricted confidence. The Catholics may find cause unequivocally to withdraw that barrier (insuperable whilst it remains in force) of divided allegiance,—the obligation to Papal Supremacy. I will not, said he, shut out the wish or the hope for such alteration of circumstance; shut with our limited power of searching into future chance and change, we can, I think, retain this *possible* expectation as the only prevention to a positive declaration, That *here, even here*, must be "the Be-all and the End-all." We are, I am afraid, yet only on our own necessary defence. We are obliged, in conscience, honour, and duty to ourselves, and to our constitution in Church and State, to throw our shield of Self-preservation before us, and on it to exhibit the warning motto of *Ne plus ultra.*

Lord GRENVILLE, in the course of an able and spirited reply of considerable length, said, he could with the greatest confidence assure their Lordships, that were they to agree to his motion, which was merely to take the Petition of their Roman Catholic fellow-subjects into consideration in a Committee, he could by positive and incontrovertible proof, do away almost every thing that had been asserted against them. With respect to the circumstance of the Petition not having been signed by any of the Romish Clergy in Ireland, on which so much stress had been laid, and from which such unwarrantable inferences have been drawn, he pledged himself to prove by juridical testimony, that the Priests were not only willing, but forward and desirous, to take the oaths prescribed by law; and

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even exerted themselves to persuade the lay-gentry and numbers of their flocks to take them. This he could prove by certificates from courts of justice in Ireland, and other concurrent testimony; but, the reason alleged for the Clergy not signing the present Petition, and a correct and rational objection it was, was, that it prayed merely for civil rights. Those, therefore, who abused and vilified this useful and respectable class of men, were not judging from facts, or well-wishers to the peace and prosperity of Ireland. Peace, order, and tranquillity, were not to be established, as some may think, in that important part of the empire, by the degradation or the abolition of that *calumniated hierarchy*, but by securing to it character, influence, and respect. Those who endeavoured to effect this, were practically the greatest benefactors to the empire of which Ireland now forms so essential a part. To meet ultimately the wishes, as well as to obviate the objections, of many Noble Lords who partially or *in toto* opposed the motion going into the proposed Committee, was the first step. This was merely the object of his motion; and all that, on the part of the Petitioners, he asked, in the first instance, from the House. He well knew, as had been suggested by a Noble Earl (indeed no man could be more fully aware of it than himself) that the grant of the prayer of the Petition must be accompanied by regulation, provision, and arrangement: there were many topics of detail to be discussed, and many subordinate considerations to be provided for: some in a civil point of view, and some of requisite ecclesiastical arrangement, as had been alluded to by a Noble Baron (Lord Boringdon) to be settled previous to final settlement; but still they were to consider the Petition as the groundwork of the whole. Great stress had been laid upon the objection on the part of the Petitioners to take the Oath of Supremacy; and this very circumstance, did no other consideration apply, would abundantly and clearly expose the falsity, inconsistency,

consistency, and absurdity of the assertion, that the Petitioners hold as an article of their Creed, " That " no faith is to be kept with Heretics." Nothing now, as had been noticed by a Noble Viscount (Lord Viscount Carlton) on the first night of the debate, and as was emphatically said by a Noble Baron (Lord Hutchinson) this night, remained to exclude the Catholics from a full participation of the benefits of the Constitution, but their sanctimonious regard for the dictates of an oath! And yet, up to this very hour, they were told that Catholics consider themselves as not obliged to keep faith with heretics, and consequently pay no regard to the oaths they take with them. But this was not all. Let their Lordships consider what this much-talked-of oath respecting the King's supremacy was in reality and in fact. Perhaps, many who talked loudly of it, were far from understanding it. In point of fact, the oath in question is not affirmative, but negative. It does not assert that the King *is* the Supreme Head of the Church,—but that no Foreign Prince or Potentate is so to be considered. It had been repeatedly argued and demonstrated, that the sense in which Roman Catholics regard the Pope as Supreme Head of the Church, is a theological, not a political consideration; it would be therefore sufficient to remind their Lordships of that point. An observation, or an argument, if it were intended as such, against complying with the prayer of the Petition, and made use of by a Noble Earl (the Earl of Buckinghamshire) who spoke early in the debate of that night, was inconsistent and absurd in the extreme. The Noble Earl said, that the King had not in his dominions a set of men more attached or better affected to his person and government, than the Noble Lords and Gentlemen (men of property) who represented the whole Irish Roman Catholic Body; but, he added, these men had unfortunately lost their influence over the great mass of the Roman Catholics in Ireland. Why then, he (Lord Grenville) would ask, should they hesitate

hesitate to grant the prayer of the Petition, which went to affect a comparatively small number of persons, and who were described as loyal and faithful subjects, and yet grant to the lower orders of the great body of the Irish Catholics, reputedly a contaminated mass, every thing they could reasonably hope to enjoy under the Constitution? The argument of the Noble Earl involved this farther inconsistency: he entertained fears that great Catholic Proprietors would soon exclusively be returned for the counties by the great majority of the Catholic freeholders; yet, almost in the same breath, he assents, that persons of that description have lost their influence over the great body of the Irish Catholics!

Lord Viscount SIDMOUTH.—"My Lords, I shall detain you but with a very few words in explanation of my meaning. It was my idea, and it is my wish, that all remaining restrictions on the religion of the Catholics of Ireland, if any remain, should be removed. I would also allow them a full community of civil rights with the rest of his Majesty's subjects; but never would I agree to put into their hands powers sufficient to subvert the Constitution."

The House then divided, when the numbers were,—For the motion,—

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Not Contents	133, Proxies 45	—	178

Majority against the motion 129.

Tellers for the Contents, Lord DUNDAS.
For the Not-contents, Lord AUCKLAND.

At six o'clock in the morning the House adjourned.

HOUSE OF COMMONS.

MONDAY, MARCH the 25th, 1804.

MR. FOX rose to present to the House a Petition on the part of His Majesty's subjects professing the Roman Catholic religion in Ireland, praying for a repeal of the laws at present peculiarly existing against them. He never, in the course of his political life, was concerned in a more important undertaking than the Petition of the Catholics, nor did he believe a subject more important had been brought before Parliament; he felt great satisfaction in being the instrument of bringing it before that House. Whatever might be the result, which he would not now discuss, it must afford the greatest pleasure to every sensible mind to perceive, that though differences might possibly subsist between individuals of that persuasion, yet the great body of the Catholics had come forward to solicit Parliament in the most respectful language, and their application was of the most temperate and becoming kind. The Petition stated, amongst other things, that the Catholics hope the House will repeal the statutes disqualifying them to sit in Parliament, and to hold certain offices in the State; and that they may be admitted to the full enjoyment of the British Constitution, as well as the subjects of every other part

of the kingdom. The Petition being read, (vide Lords.)

MR. CARTWRIGHT professed himself friendly to the measure of the Emancipation of the Catholics, as he had always been, yet he was surprised that the subject was brought forward now, knowing, as those who brought the Petition forward must, that the Petition could not succeed in the present circumstances of things, and for reasons that could not but be well known.

MR. FOX did not know those reasons. When made known to him, he should then give an answer. He moved that the Petition do lie on the table; which having been agreed to,

MR. FOX said, that he would not propose any precise and definitive day for the consideration of the Petition. The situation of the Members for Ireland, occupied, as many of them were understood to be, in business of that country at home, would not admit either of a day being peremptorily fixed, or of that being a near day, whatever day should be fixed. Open to future alteration, he should, however, propose in the mean time, that the Petition be taken into consideration on the 9th of May next. He should probably give the House notice, before the holidays, of the precise day.

DR. DUIGENAN wished the Hon. Gentleman to fix it then, peremptorily, for the 9th of May.

MR. FOX would have readily fixed it so, but was unable in the present circumstances. The notice stands, accordingly, for the 9th of May next.

MR. FOX on a subsequent day deferred his notice till Monday the 13th of May.

Monday, May the 13th.

THE Order of the Day being read for taking into consideration the Petition of the Catholics, and the Petition itself being also read by the Clerk, (vide Proceedings in the Lords.)

Mr. FOX.—" Sir, at the same time that I cannot help feeling a considerable degree of anxiety at being about to bring before the House a subject which, according to my conception of it, seems, in its probable consequences, some nearer and some more remote, to be of the very highest importance; yet, I confess, I feel infinitely less agitated than upon many other subjects on which I have lately had occasion to address you. It is certainly a sort of recreation, if I may be allowed so to express myself, after having been obliged to perform the harassing duties of accusation—after having promoted inquiries into circumstances, certainly not more honourable to the country at large than to the individual concerned in them—after having had my mind so harassed and occupied, to feel that I am not now the mover of accusation, but that I am pleading the cause of my fellow subjects, and that I am endeavouring to add to the strength of the country, without taking from the credit, power, or authority of any living man in the Empire. I cannot help being sensible of the contrast between the duties lately imposed upon me, and that of attempting to draw the attention of the House to a subject, which, however embarrassing the discussion of it may be to some persons, has at least this advantage, that it rests entirely on principles of general affection and good will, connected with views which every man must approve, and no man can condemn. The question, Sir, that I have

I have the honour of bringing before you, and I do feel it a great honour to have been desired to bring it before you, is no less than a Petition, signed not indeed by any very great number of persons, but embracing, and I take it at the lowest calculation, when I say, one-fifth of His Majesty's subjects. *(Hear! Hear!)* Nay, further, I believe I shall not be incorrect, if I state them at one-fourth of the whole of His Majesty's subjects in Europe. My duty, therefore, calls upon me to plead the cause of 3 or 4,000,000 of the people of Ireland, without reference to the proportion they bear to the population of that part of the Empire, but which must be allowed to contain the greater proportion of the Catholic subjects of His Majesty—a proportion amounting to nearer a fourth than a fifth of the whole population of the Empire. I feel particularly fortunate, that when I am pressing the claims of the Catholics of Ireland to the consideration of this House, I am not pressing them as adverse or hostile to the power or pre-eminence, much less the liberty or privileges, of the subjects of any other part of the country. If I could persuade the House to do justice to the Catholics, I should persuade them to render a most important service indeed, perhaps the most essential that remains to be done, or that ever was done, for the security, the greatness, and general weal of the empire at large, whether with regard to its internal policy, or external relations.

It may be somewhat difficult for me to choose on what part of the subject it is most proper to begin. The plain and simple statement of the question, and the first argument in support of it, would naturally be drawn from matter of fact, concerning which no controversy or difference of opinion ever did or can exist; I mean the number of persons who are affected by the question. If I had not heard that different opinions were entertained with respect

to the policy and expediency of granting the prayer of this Petition, I should hardly think it could be a question, whether a portion of His Majesty's subjects, so considerable as nearly one-fourth, should be on a footing with the remainder, or should have the enjoyment of equal laws, privileges, or advantages, and the full participation and benefit of the Constitution and Government of the Country? Against the principle so generally stated, cause may be shown, suppositions may be urged, and facts may be referred to, with a view to show that this, as well as any other general principle, may be liable to error. I will not detain the House long upon this point; but it is necessary I should call its attention to a topic, which may be considered more an object of theory than any thing else. I shall trouble the House but shortly, and only explain my opinion, that, whatever difference of sentiment and feeling may exist, that difference is purely theoretical—the question, in point of practical application, is precisely the same. What some call rights, and what others call indulgences, are precisely and exactly the same. The differences are rather differences between words than things.—There are two modes of considering this question; 1st, as it regards the rights of the subject; and 2dly, as it affects the rights of the Crown. That which was most in fashion at different periods of the last century, was the latter mode of viewing it. For my own part, I do consider the rights of the people governed to be the prominent rights. I consider, that those who compose the society of a state have a complete and unquestionable right to equality of law; but I do at the same time admit, that this principle is not to be taken generally. I admit the force of the other general maxim, that *Salus Populi suprema est Lex*, and ought with propriety to be considered as an exception. Not only very able men, but men of practical knowledge, have in their closets considered

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it in that light. A most respectable modern writer of our own country, now living, (Dr. Paley) has stated, that the general right of Government is to do whatever may be necessary for the advantage of the people: but he, and every man of sense, will tell you, that although this is undoubtedly the general right, yet whenever it is exercised by restrictions with regard to one class of the people, such exercise becomes an abuse, or, in other words, the people have a right not to be restricted in any thing that is not adverse to the safety of the country. *(Hear! Hear! repeated by many of the Members.)* The people have a right to be exempted generally from unequal restriction; but when the safety of the country demands it, and history shows us that such instances are numerous, they are exceptions to the rule, and have always been so considered.

In the way in which different persons consider this subject, a difference of opinion has been produced, but the conclusion is the same. Some say they would give the Catholics what they require, as a matter of favour, and a matter of policy; but not as a matter of right. Now, I say, I would give it to them as a matter of right: but we, however, shall not differ, if the practical consequence of our reasoning come to the same thing. I would give it as a right, because it is the general right of the people, and because there is no exception which ought to operate against the Catholics of Ireland. Though Government has a right to impose restrictions; yet, if there be no necessity for them, then comes the right of the people to enjoy the benefit of every law, provided such enjoyment is not mischievous in its consequences to the country. It was therefore, Sir, I wished to say these few words, because it is so important a part of the subject, and one which, from the nature of it, cannot be a question to-day, but might recur and become a question for future consideration. I should wish that all should

understand each other, and particularly that it should not be supposed there is any essential difference, when, in fact, it is a difference of words rather than of principles. Whatever difference exists with respect to the two theories, it is evident they lead to the same practical consequences. To apply this to the Roman Catholics of Ireland, I do not lay down a principle too large, when I state that it is the general right of the Catholics, as well as of the Protestants, to be on an equal footing, to have equal laws, privileges, and immunities, in all cases where they are not prejudicial to the welfare of the State. The only differences that could arise would be with regard to the degree in which they should enjoy those rights. Cases might be put where persons might say nothing could justify a departure from the rule of right, but expediency. Some might say, political advantages, connected with external relations, would justify it; others would require such a degree of expediency as would amount to a necessity. They would require that not only the greatness of the country, but the security of the country, should be concerned. I flatter myself we shall not go on such near shades. The Roman Catholics of Ireland have undoubtedly a right to equal laws; but the Government has thought fit to curtail that right, and to put them on a footing disadvantageous to them.

To enter into the question, whether the laws for restraining the Catholics were originally politic, or, rather, whether they were just; that is to say, whether the policy which dictated them was of such a nature as to render that just which was not within the general rule of justice, would be a discussion exceedingly unnecessary at this moment. At the same time, it will be necessary to attend to the particular period of history in which these restrictions were principally imposed. I think I need not state what will be the argument in reply. No man's mind, I hope, is so framed as to imagine that the restrictions

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can be justified on account of the length of time they have been allowed to continue. Such an opinion would be a solecism in political reasoning; it would do away the original principle on which such laws were founded, to contend, that though they might be unnecessary at the time they were adopted, yet that, by a long lapse of time, they have acquired a prescriptive right. If a restrictive law is made on account of peculiar circumstances of a political nature, the moment those circumstances cease, the restriction ceases to be politic, and consequently ceases to be just. I cannot conceive how any man can be justified in supposing that, where the circumstances on which a law is founded have ceased, the justice of continuing that law can be a matter for fair reasoning. It may so happen, though I think it has not so happened in this case, but it has nearly happened, that the fact of long restrictions may make it difficult afterwards to restore the objects of them to that situation in which they would have been if the restrictions had never been imposed. I think one may generally state, that all the restrictions of the Catholics were laid, not on their religious but their political opinions. At the time they were made, I have doubts whether many of those who concurred in them did not disapprove of the principle; and I have doubts also, whether others did not mix sentiments of persecution and rancour with those restrictions. I would not wish to go to antient times; but in the early period of the reigns of Queen Elizabeth and James I. no one can suppose it was any particular religious bigotry that led to the restrictions with regard to the Catholics. As far as one can learn of the character of Queen Elizabeth, her faith was not so repugnant to the Catholic religion as that of many Protestant ministers, who were principally concerned in the restrictions. She managed the question with a degree of prudence which proved her one of the most consummate Princes of the age. She seemed to be

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engaged in a general war with several great Catholic Powers, and particularly with the King of Spain. From the connection which the King of Spain had with the Catholics by the league with France, she was necessarily involved in disputes with France, as well as other Powers of the Continent; therefore they were political circumstances which occasioned those harsh and severe laws against the Catholics which passed in her reign. Whatever other pretences might have been resorted to, it is plain the Catholics were not considered as the loyal subjects of Queen Elizabeth. But I am speaking of old times, and the circumstances of them do not relate to the present. Even in the reigns that followed, very few restrictions by penal law were enacted—very few restrictions of disabilities took place till a much later period. This may be accounted for from the circumstance that there was no suspicion of the Catholics; but afterwards, in the time of the Stuarts, and Charles I. and II., suspicions had taken possession of the minds of the people of this country, which made those restrictions necessary, many of which have been done away, and some are now under consideration. When we come to the Revolution, it is impossible not to see that all the laws of the Catholics were political laws. It was not a Catholic, but a Jacobite, you wished to restrain. When King James was driven from the country; when his enormous tyranny became so mixed with bigotry, that many persons professed to be able to unravel his conduct, and tell what to attribute to religion, what to bigotry, and what to tyranny, it was easy to suppose that the Catholics should be actuated by an attachment for a King who had lost his throne in consequence of his partiality for their faith. Ireland at this time was the seat of civil war. Undoubtedly it was natural, after that war was settled by conquest, to prevent the conquered from enjoying the privileges of the conquerors. It was not against the religious faith of

those who adored the Virgin Mary, or believed in the doctrine of Transubstantiation.

King William was unquestionably a great man; I may say the greatest that ever filled the Throne of this or any other country; but whoever would wish to raise his character, by representing him as a persecutor of heresy and idolatry, materially mistake the character of that Prince. I am persuaded, that he most reluctantly consented to harsh measures against the Catholics of Ireland, and only did so, because it was represented to him by his ministers, that they were absolutely necessary. That King William would have acted wiser, if he had made those restrictions less harsh, it is not now our business to consider. King William, in conceding his own to the opinion of others, acquiesced, on the ground of the difference of opinion among the Roman Catholics as to the right of succession to the Crown, and in conformity to that advice which his ministers gave him. The years that followed the Revolution were most of them years of war; and those that were not years of war, were, with reference to the Catholics, years of a suspicious nature. Endeavours were made to bring about a religious war, in which it was impossible for the enemy not to have looked with confidence to the assistance of Ireland—therefore the Catholics were disarmed—it might have been wise so to do. That there were bigoted motives actuating some I will not attempt to deny—there were many persons in this, as well as that country, who were of opinion, that by these persecutions they should convert to the Protestants the property of the whole kingdom of Ireland: others there were, who thought that more lenient measures were likely to be more successful. The effect proved that the measures adopted not only failed, but they were of a nature which rendered their success absolutely impossible. They were laws which, though nominally against the Catholics, were substantially against the Jacobites. In the two next reigns the same

same laws continued, because the same spirit was supposed to exist, and the same danger to be apprehended from it. In the rebellions which followed, the conduct of the Catholics in remaining quiet, gave them a just claim to the indulgence of this House; yet no man who considers the grounds of those rebellions, will think that any great degree of trust could have been reposed in the Catholics.

We come now to the period of His present Majesty's reign; a period at which all danger of a Pretender, and the return of the Stuart family to the throne, was extinguished. I should certainly say, that all danger of that nature had vanished in the latter end of the reign of George II., and that there was no longer any dispute as to the succession to His Majesty's Crown. From that period no further danger existed. During the Lord-lieutenancy of the Duke of Bedford, at the time of His Majesty's accession, the system of relaxation towards the body of the Catholics was adopted. There was a remarkable circumstance at the period to which I am referring, that proves to me more clearly than any thing else, that the causes of these restrictions were at an end. So far was the Lord Lieutenant of Ireland, during the American war, and the war with France, from pretending that there was any danger to be apprehended, that upon an alarm on the coast of Cork, arms, though contrary to law, were put into the hands of those against whom the restrictions remained, on account of the unjust suspicions that they were not worthy of being trusted. Then undoubtedly there was a good deal of difference of opinion; for although there was not much doubt in this House, yet Gentlemen must know that the Catholics of Ireland were the subject of much consideration. I need only refer to the Letters published by the late Mr. Burke, relative to the conversations in those days. I remember in 1776 or 1777, the matter being mentioned in a conversation in this House. It became a topic of discussion during the period of the American war, when party politics ran

high, and when persons felt warm, as undoubtedly they ought to feel upon occasions of such public importance. The opinion then was, that it was a desirable thing to liberate the Catholics from the disqualifications which attached to them; and I rather believe that the real grounds of the motion, and of the Bill, moved and seconded by two celebrated names, Sir George Saville and Mr. Dunning, were not so much to relieve the Catholics of Ireland. I did conceive, that to bar a man of his right on account of his religious opinions, was tyranny—that the maxim of *salus populi* never could apply, because the safety of the people could not operate as a ground for preventing a man from enjoying his religious opinion. A great disposition was shown to follow up the system of relaxation. It was thought that what had been done might lead to a relaxation of all the laws against the Catholics. All that scattered men's minds at the time was this,—an apprehension of the Pope or Pretender. There might have been in some persons sentiments of respect and compassion, and in others an inclination to taunt or insult; but there was not one person who had any degree of fear or terror, as one single ingredient in forming his opinion. It was said, that the restrictions in Ireland, the ferocious manners of those who were Protestants, and the insults sustained by the Catholics, had produced, as Mr. Burke says, a degree of desperation in that unhappy people, which made it doubtful how far they were to be trusted. The effect of the system had been that of changing, by degrees, the whole property of Ireland, and that country was brought into a state highly to be lamented. I do not mean to make any comparison between the treatment of the black slaves on the coast of Africa, and that of the people of Ireland; I mean only to state, that it was a circumstance likely to produce the general disaffection of the people, that the whole of the property was in the hands of the Protestant ascendancy, while the mass of the population was Catholic. Even among those whose forms

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of government are less free than ours, the property and power should go hand in hand, and there should be no other distinction except that of the proprietor and the servant. We began by enabling the Catholics to acquire property—what has been the consequence? The power connected with the Free Trade and Constitution we gave to Ireland in 1782, has produced an increase of property beyond all proportion greater than that enjoyed by the Protestants. There has been not only an increase of mercantile property among the Catholics of Ireland, but also of the landed property. This has been attended with the happiest effect. It has produced the effect of softening and correcting those distinctions between the Catholics and the Protestants, which were found so oppressive. The Catholics are now possessed of a great deal of that property which was taken from their ancestors. I mention this, because one of the apprehensions with respect to the Catholics was, that they had preserved memoirs of the antient state of property, and that, on a favourable opportunity, they were to claim of the Protestants all the property that belonged to their ancestors. This objection has been completely done away; for at this moment, if you were to reverse the Act of Settlement, and restore the property of those who possessed it before Cromwell's time, I believe the Catholics would be as great sufferers as the Protestants. And what Catholics? Why, the Catholics who are now rich and powerful, viz. the only Catholics to whom we would give an addition of power.

From the time of the acquisition of property by the Catholics, I have never been able to conceive on what principle their demands were not conceded to them; least of all, why particular restrictions should have been kept up, when others were abandoned. What are the restrictions now existing? The general restrictions may be comprised under these two heads: one, the incapacity under which the Catholics lie with regard to the enjoyment of certain offices, civil and military;

military; the other, the incapacity of sitting in either House of Parliament. Gentlemen who have attended to all this history of the restrictions of the Catholics (sorry I am to say, a large chapter in the history of Great Britain,) need not be told, that it has been useless with reference to the ends proposed, and certainly odious to those who have been affected by it. I believe it is not considered by foreigners as that part of our constitution which is most deserving of admiration. The two heads of restrictions are quite distinct. Suppose I proceed to consider, first, that with respect to offices; the restrictions under this head go either to limit the prerogative of the Crown, or the choice of the people. We restrain the prerogative of the Crown in appointing the Catholics to certain offices—let us examine on what ground. Originally the Test Act was for the purpose of excluding the Catholics from the service of Charles II., to prevent Catholics being appointed by Charles II. to executive offices: and here a very whimsical but strong observation occurs. One of the most popular arguments in favour of the *test*, with a view to the restraint on the Prerogative, and I have heard it frequently used, was, that it was necessary to make the Constitution agreeable to analogy—and that when it was insisted the King should be of the Church of England, it was therefore necessary all his officers should be of the same persuasion. What beautiful uniformity there is in this, I own I cannot see. I apprehend that our ancestors reasoned in a very different manner. I apprehend it was not because we forced the King to be a Protestant, that we found it necessary to have his officers of the same religion, but because we doubted whether the King was in reality a Protestant or not, and because we suspected him of a design to overturn the Constitution of the country, as in the case of James II. If we suspected him of being a Catholic, it was right we should not suffer any officers to be near him who might assist him in an infraction of the Constitution. But it is the most strange

reasoning I ever heard, that because the King being a Protestant, and therefore not liable to suspicion, you are to prevent him from having the assistance of his Catholic subjects. This *test* passed in the reign of Charles II., and with the approbation of a very great man (Mr. Locke), who observed, that it might have been a necessary measure. The next reign was that of James II., who was a professed Catholic. If there was any virtue in other days—God knows there was little enough in his:—if he had repealed the Test Act, it would have been for the purpose of obtaining the means of acting against the liberty of the subject.—Then how came the laws to be continued? The continuation of the Test Laws after the Revolution, was because the Dissenters being included in the Test Act, it was the object of the High Church Party to hold the Dissenters to a law which they had favoured. It was a kind of compromise, on enacting it against the Roman Catholics, to say, We will retain it against you. In this control of the Parliament, it ought to be observed how the question stands. The Test does not prevent the King from appointing a Catholic to any office, civil or military; it only makes it necessary, after a certain time, for the person appointed to do a certain act. With respect to the Catholic Dissenters, you have given it up in a great number of points, and you have maintained it in others. We come now to the distinction of those cases in which you have given up the restraint. You have given it up with regard to all subordinate offices in the Army and Navy, and in the profession of the Law, but you refuse it with respect to the higher offices. Then you say to the Catholics, We have kept nothing from you as a body—you do not all expect to be Chancellors, Generals, Staff Officers, Admirals, or other great officers; therefore, as you do not all expect to arrive at these distinctions, there can be no harm in forbidding any of you to obtain them! Do you wish the Roman Catholics to be actuated by a sense that they are to be trusted by the Executive Govern-

Government, or not? If not, and you should, in giving them offices, appear to entertain diffidence and mistrust of them, they will be executed with that remissness and disregard of the public service which such distrust is calculated to inspire. Suppose I send to a Gentleman of the Law, and I say to him, It is true you may possess talents, but do you think there is any probability of your being Lord Chancellor? He might probably answer, that there was not; but is there not a very material difference in having an impossibility and bar put to the advancement of a man to the honours of his profession? Suppose a person is engaged in trade, and he can gain a bare living, or perhaps save about twenty pounds a year—I say to him, You may go on, and be as industrious as you please, but you shall never make more than 1,000,000l.—He says, he is contented.—Well, but does any one think that this country could have arrived at the height it has, if there had been such a restriction on the exertions of industry? It is not because a man's quality is low, that he is prevented by the exercise of his faculties from becoming wealthy; but if you limit his endeavours, you destroy the spirit of enterprise and exertion which impels him, and, by such a system, finally prevent his success. Do you not think it would be the most destructive blow to the enterprise, industry, and energy of the country, and undermine the principal source of our riches, to put a restraint on the exercise of a man's genius and industry? Do we not often hear of a person, not of consequence either from birth or fortune, say, "I live, thank God, in a country, where, by industry and talents, I may arrive at the fortune of the greatest Duke in the land." Is not this cheering? Is not the unlimited power of gain the great principle on which industry, enterprise, and commerce exist? What should we say if men of particular descriptions were to be restricted in their fair pursuits? They stand marked and circumscribed to the limit of their possible gain. Apply the principle to the professions

sions—to the law particularly, the one perhaps in which it operates the most. I would ask those who are conversant with the profession, whether it would not damp the ardour of a young man, if he were to be told that he might obtain some pecuniary advantage, but that he could never rise to any office of dignity. I am not supporting the propriety of indulging sanguine hopes, but certainly one of the greatest incentives in the breast of a parent to give to his son a good education, is the hope of seeing him one day fill the situation of Chancellor, or some other splendid office. Take that hope away, and you destroy the greatest incentive to an aspiring mind. But when you apply the argument to a military life, how much stronger is it! Is not the very essence of the profession ambition, and a thirst of glory? What can you expect of a Lieutenant or Captain, who, after exerting himself in the service of the country, comes home, and, reflecting upon the dangers he has shared, admires the skill and ability of his commander, or perhaps thinks something might have been done better —What must be his feelings, if he is obliged to add, But I can never expect to command an army—all my thoughts are useless—I may be Colonel, perhaps a General, but a General on the Staff, that I can never be! I go to my station, because I am a man of honour; but can I do it with the same eagerness as if, after I have escaped the danger, my reward was to be proportioned? Does not such a consideration as this lay an extinguisher on military enterprise? Is it not desirable that every man should look, for the purpose of exciting his activity and zeal, to future rewards of the highest sort? But put it in another way. Is it not of importance that every man intrusted with the concerns of others should feel the necessity of gaining a great character for ability and integrity? It is not only satisfactory but necessary. But if you say, there is a *ne plus ultra*, beyond which you cannot go—you are to think only of filling your coffers *quocunque modo rem.*—How different must be

the situation of him who feels he can never rise in his profession, though endued with the most splendid talents, compared with the man whose exertions are excited by the prospect of future honours! Do you think these men, the Catholics, do not believe themselves to be a marked people, separated from the rest of the community, not on account of their religious opinions, but the political opinions connected with them? In all great concerns, the extent of the justice or injustice is of considerable importance. Who is it you are thus stigmatizing and degrading? Is it a few people of a particular way of thinking? No; it is three-fourths of the people of Ireland, and one-fourth of all His Majesty's subjects in Europe. Would you think, that, under these circumstances, such a thing could be, so far as to the part that relates to the control of the King's prerogative? I ought, however, first to mention the exclusion from being Sheriffs; but that is more connected with the jurisdiction I shall have to mention hereafter. Can any body suppose, that Government would be likely to put improper persons into the office of Sheriff in Ireland? Would they nominate Catholic Sheriffs, to raise disturbances? I say, it is one of the occasions in which it is least possible to suspect an abuse of the King's prerogative, and where it ought not to be controlled. Now with respect to Parliament, the votes of the Peers in Parliament subsisted during the reigns of Elizabeth, James I., Charles I. and II., till somewhere about the period of 1698. I would ask the most zealous historian that took the side against the Stuarts, whether any mischief by the votes of the Catholic Peers did really occur? Here I quote Mr. Locke, who says—"And with respect to the votes of the Catholic Peers, I think, provided the Test Act is preserved, they are fit and beneficial." When did they cease? In 1698, upon the discovery of the Popish Plot, suppose it to be true or false—when the country was thrown into a paroxysm of terror—when it was believed that the Catholics were

going to massacre the Protestants—when it was expected they were to have the assistance of the King of Spain—and when the ridiculous story of the silver bullets was set on foot.

It was at such a moment of popular fury this measure passed. No man thought of expelling the Catholics from Parliament till the people had been put into a paroxysm of rage and terror. Why did they do this? Because there was nothing else to be done against them: it was for no other reason they passed that intolerable law, which put an end to their sitting in the House of Commons.—You come now to that part of the case which does not affect to diminish the power of the King, but to control the rights of the People.—You go to the Electors of Ireland, and you say to them, You shall not elect a Catholic.—Upon what principle is it you conceive, that if a Roman Catholic has a mischievous project in his head, it can be defeated by keeping him out of Parliament? It has always been the objection to the Test Act, that two descriptions of Protestants are in the House of Commons. We know the Dissenters do sit, and have become the most meritorious of any of its members. What is the objection to the Catholics? That they cannot wish well to the Church of England.—Why, that is your argument against the Dissenters. You do not deny the Dissenters the privilege of sitting in Parliament, though you say they do not approve the Church Establishment. But the practice is every thing. What would be the practical effect of the Catholics having a seat in the House of Commons? Does any man believe, that if there were a total repeal of these restrictive laws, there would be twenty Catholic members returned from Ireland to this House? But I would take it according to the population of the country, and say, that there were four-fifths Catholic. If, contrary to all the principles that govern elections, the mere population were the only thing to be considered, this would, perhaps, give about eighty members. Now the House consists

of 658 members. Supposing it possible that eighty Catholics were to be returned out of that number, though I do not think there would be more than twenty, could they be dangerous to the Establishment of this country? If the doctrine of virtual representation be well founded, would it not add to the true virtual representation of this country, if three-fourths of the Representatives were Catholics? When people put the argument to extremes, and say, that this place is not represented, and that place is not represented, but that you have those in the House of Commons who represent the whole community; that the trading and commercial interests, and the military, naval, and learned professions, are all duly represented; that you have the Landed Country Gentlemen, Statesmen, and Politicians, Soldiers, Sailors, Merchants, Lawyers,—in fact, that you have a kind of virtual representation of all the people of the country,—I deny it: you have not the representation of the Roman Catholics —you want what you are afraid to have—you ought to desire what they pray for—you ought to have that complete virtual representation they offer you. I have been speaking for the public benefit,—I now speak for the benefit of the Catholics. You say to the people of Birmingham, Sheffield, and Manchester, It is true, you send no Members to the House of Commons, but you have Members of Parliament who are connected with the commerce and manufactures of those places. It is true; but still it is my wish to have a more direct representation. The fact is, the virtual representation is undoubtedly a vital principle in the Constitution of the Country. If any particular class of men are excluded, you have not a real virtual representation, in the sense the word representation ought to be understood, implying a sympathy and fellow feeling between the representative and the persons represented. The very substance of representation is, that the Members of Parliament should not be able

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to tax their constituents without taxing themselves. Now I say that there is no feeling of this kind with respect to the Catholics. Upon the same principle you deprive the electors of Ireland from electing Roman Catholics—you deny the Corporations the right of choosing them, for they cannot be at the head of any Corporation. I want to know upon what principle it is that Corporations are to be denied the privilege of appointing Catholics to the office of Mayor, or other superior offices? Corporations being composed chiefly of Protestants, there is not much danger, as some would say, or not much hope, as others would say, of the Catholics being admitted. Is not this one of those additional instances in which you keep the stigma without any practical advantages? You fix an unnecessary stigma on the Catholics—and an unnecessary stigma is, of all modes of punishment, that which is most grating to the People, and destructive of the unanimity and concord necessary for the safety of the State. I shall say a very few words as to certain objections to the matter of this Petition. I think the objections to the Jacobites are given up; but it is said, that there is something in the nature of the Roman Catholics that makes it dangerous to grant them the same privileges as Protestants. Some have stated, that there is a general impropriety and incongruity in persons' of different religious principles acting together. I should like to know the theory on which this argument rests. I am speaking now of religious differences;—why two men sitting in council together should, instead of inquiring how the forces of the country ought to be disposed of, and where the fleets ought to be sent, whether to Jamaica, or any other part of the West Indies, fall to a discussion about Transubstantiation, and dispute because one adores the Virgin Mary and the other adores the Saints? Is it to be supposed that Justices on the Bench, when they try criminal or civil points, will quit their duty, in order to commence

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idle controversies on religious points? There are countries where the law and religion are one and the same thing; where, consequently, there would be an impropriety in separating them: but I want to know, upon what principle it is that men may not act together, who entertain strong differences on religious creeds. This stands upon theory only, for the practice is against it. Is there in Europe one State or Country that does not employ persons of different religious persuasions in the highest offices? In former times even this was the practice, when there was more heat and animosity. When bigotry was at its height in France, when it led Henry the Fourth to renounce the Protestant and embrace the Catholic Religion, in order to obtain the Throne of that kingdom, did it ever occur to any one to suggest, that the Duke de Sully, his Minister, who was a Protestant, could not advise with him about public affairs? Was he ever accused of being a bad Minister, because he was a Protestant? No one ever objected to M. Neckar, the Minister of the late King of France, because he was a Protestant. Does not the Emperor of Germany employ Protestants in the various important affairs of his dominions? The Government of Vienna is intrusted to Prince Ferdinand of Wirtemberg, a Protestant. It is true, the bigotry of Frederick the Great could not induce him to employ Protestants as his Ministers or Officers; but perhaps it was because he could not find any that were fit for his service. What is the case with Russia? The first employment in the service of the Emperor of Russia is filled by Prince Sartoriski, whose religion is that of the Greek church. With regard to the Swiss Cantons, the employment of Protestants has been, perhaps, less than in other places, but they have frequently filled offices of Government jointly with the Catholics. In the democratic Canton of Uri, and some others, the Catholics were more numerous; a proof that they may take an active part in the administration of a popular

popular Government, without any evil consequences resulting from the opinions they profess. In the Canton of Epenzel the Catholics and Protestants are about half and half.

The Pretender being gone, and all other questions of radical difficulty removed as to him, we now come to another person,—the Pope. I wish to know whether, during the last 200 years, the Pope has been a person to be feared? If he has, it can only have been in one way, by his oppression of the Catholics.—Long before the period of the Revolution, all the political influence of the Pope, with respect to this country, had ceased. His power became afterwards absolutely insignificant; and during the whole of the question between the Houses of Stuart and Brunswick, it was notorious that the Pope could not stir one Roman Catholic in Ireland. But it is stated that the persons principally concerned in the Rebellion of 1798 were Roman Catholics. I have no doubt that the Catholics had their share in that Rebellion; but were they instigated by the Pope?—What! by the Pope, while he was in a state of servitude and humiliation? Did the Pope, while he looked to this country as almost his only support, wish to overturn our Government, and prevail on the Irish Catholics to follow Messrs. O'Connor, Emmet, and M'Nevin? This fear of the influence of the Pope, when he has no power to do us harm, and when he cannot do us good, even though he wish it, is perfectly absurd. It is an alarm which can be accounted for on no rational principle. Has the recollection of the Proconsuls, sent by the Cæsars to govern this country, left such an impression upon us, as to make us dread every thing that comes from Rome? But it is said, Bonaparte has obtained an influence over the Pope, the Pope governs the Irish Priests, and thus Bonaparte will be able to attach to him the Catholics of Ireland. Without canvassing the question of the inclination of the Pope to serve the views of Bonaparte, I shall admit that the

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French Government will willingly employ his influence so far as they can obtain it. That the great enemy of this country would be very willing to make use of such an engine to serve his purposes in Ireland, I have no doubt. But how will he use his influence? If you will repeal these laws, you will have nothing to fear from that quarter; but if, on the contrary, you persevere in your restrictions, the way in which the influence so much dreaded may be exercised can only be this: The Irish Catholics will be told, 'An equal participation of rights was held out to you; but, instead of granting your just claims, instead of affording you the relief and protection you were promised, you are still stigmatized as outcasts. You have, therefore, now only to look to a Catholic Emperor for assistance, and through him you may expect the emancipation which has been denied you.' This is the language which may be used, if you are determined to persist in your present system; but, in the other alternative, what influence can the Pope have? Suppose he were to direct the priests to take care that none but Roman Catholic members were chosen for Ireland; and suppose this influence were so far to succeed as to bring a considerable proportion of Roman Catholics into this House among the Representatives from Ireland,—is it likely that Bonaparte would find many friends among these Roman Catholic members? If there were eighty members Roman Catholics, it would be an extravagant supposition indeed to say that even three of them would be so dead to all sense of honour and duty, so blind to the interests and happiness of their country, as to become the instruments of Bonaparte. Of the influence to be used in this way by the Pope, surely no reasonable person can entertain any serious apprehension. Is it possible to look forward to any future circumstances under which that influence can become dangerous? Great men, it is said, have long views; but some views are so long, that my sight, I must confess, cannot reach them. It has been said

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of our system of Government, *Esto perpetua* ; but I should desire no better security for the power and the constitution of this country lasting for ever, than that they should continue until either a Pope or a Bonaparte could obtain a Popish majority in this House.

I must now turn to another view of the question. It has always been maintained that the differences between the Roman Catholics and the Protestants are not merely religious, but political. It is on this ground the oaths the former are required to take are defended. The oath is framed against the authority of a foreign priest, though that authority is merely spiritual. But if it be any objection to the Roman Catholics, that they deny the King's supremacy, what do you say to the opinions of the people of Scotland ? The Presbyterian religion, which is established in Scotland, does not admit the King to be the Head of the Church; and surely the Presbyterian doctrine and discipline of it are at least as repugnant to the established religion of this country, as the opinions of the Roman Catholics are ! Yet Scotland, with this Presbyterian Church, forms a part of the United Kingdom. But do not the Roman Catholics swear, that no temporal consequences whatever follow from the doctrine they hold on the question of Supremacy ? They do so swear, and yet it is said we cannot believe them. What ! are they not to be believed on oath, because they are Roman Catholics ? To make such a declaration, is to display to my mind either great malignancy of heart, or an extraordinary deficiency of understanding : but if the declaration were made on the part of the Government of this country, it would be an avowal of wickedness beyond any thing I can conceive. Would you say, that you proposed and passed Acts of Parliament to persuade them to swear that which you would not believe when sworn ? Would you own that you wished to seduce them into perjury ? The moment you find that a man attends mass, he is therefore a Roman Catholic, and therefore no lon-

ger to be believed. To add to the absurdity, you frame another oath, to keep out of Parliament those very persons of whom it is said you must not believe that which they swear. This is really at once insulting to the understanding and the feelings of mankind. It is more than a generous and ingenuous mind can be expected patiently to bear. I shall not pretend to enter into controversial arguments on the question of doctrine. Indeed, that is a subject respecting which I own I have neither sufficient learning nor patience to fit me for the discussion; but if I had as much of both as the Lord Chancellor of Ireland, I am sure his example would deter me from undertaking so arduous a task. When I consider the state of religion in Europe, of which perhaps three-fourths of the inhabitants are Roman Catholics, I am astonished that such opinions respecting that religion can be maintained. Is it possible that any man can be found bold enough to say of three-fourths of the inhabitants of civilised Europe, that they are not to be believed upon oath? Such an assertion implies, that Roman Catholic Nations are not only incapable of the relations of peace and amity, but unfit for any of the relations of society whatever. The existence of any such maxim supposes gross ignorance and barbarism in the people among whom it prevails. Every enlightened mind, every man who wishes well to his country, must treat it with scorn and indignation.—When a Bill was some time ago introduced respecting the army, I objected to the oaths it contained, on the ground that it was not fit to ask any man to take them; but it will be extraordinary indeed, if those who insisted upon prescribing these oaths should now turn round, and declare that they will not believe them when taken. When the Petition I had the honour to bring into this House was first read, the clear and temperate statement of the case which it contains appeared to make a deep impression. I think I could see Gentlemen say to themselves, This is not the way I used to think of

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the Roman Catholics. No, certainly not. It is not the way in which many used to think, because they had received false impressions from persons who perhaps had an interest in misleading their judgment. But it has since been whispered, that the language of the Petition signifies nothing, because it is subscribed only by Laymen. I can assure the House, however, that there is no ground of any suspicion on this account. The reason why there are no names of Priests at the Petition is, because it relates only to civil rights; on this account only, clerical persons thought it would be improper in them to subscribe it. The oath, however, has been taken by all the Archbishops, Bishops, and most of the Priests of Ireland; and if it be thought necessary that it should be taken over again, it will be taken. I, however, have always regarded the administration of the oath as improper, and I recollect having some difference of opinion with a late Noble Friend of mine on this subject—I mean Lord Petre—from whom, had he sat in the House of Lords, the Established Religion of this Country would have had nothing to fear, for he would have only obtained more frequent opportunities of displaying his sincere attachment to the Constitution. His Lordship defended the oath, because it afforded the Roman Catholics the opportunity of publicly contradicting the calumnies reported against them. I said, that that might be an object with him, but it was none with me, and that I did not wish such a law to remain on our Statute-book. Having stated that I entirely disapprove of this oath, I must, however, inform the House, that I have at this moment, in my pocket, a letter from several of the Archbishops and Bishops, declaring that they have taken and signed the oath. They also declare, that it contains nothing contrary to the doctrines or faith of the Roman Catholic Religion, and that it is to be taken equally by the Clergy and the Laity; but foreseeing that the fact of the oath being taken might be questioned, certificates have been sent from the

Courts before which it was administered. It is in these Courts, therefore, a matter of record, and the authority of the fact is completed. It is said, that since the Roman Catholics have already got so much, they ought not to ask for more. My principle, however, is directly the reverse. It is natural that men in a state of servitude should wish to recover their rights; that they should desire to assimilate their rights with those of their fellow-citizens, in order that they may acquire a greater degree of similarity with them. It is their ambition to be no longer slaves, but to become men. They ask this; and until they obtain all they want, they have comparatively gained nothing. It would be to shut your eyes to all the evidence of history, to suppose that you could impose upon men an obligation not to look forward to the complete acquirement of their rights; from the moment they began to enjoy any of them, they must aspire to be on a parity with the rest of their fellow-citizens. The better argument is, that having already conceded so much, what remains is nothing to you to give.—Nothing can be more absurd than the conduct which is adopted towards the Roman Catholics. You admit the lower orders into the Army and Navy, and you prevent the higher from rising to that rank they might expect to attain. You put arms into the hands of men, who, if the French were to land, might be, from their want of knowledge, influenced to do you mischief; and yet you will not trust Lord Fingal, or his brother, with a command. You rely, however, it appears, with confidence, on the loyalty of the ignorant and the prejudiced, and you intrust them with arms. Of which class of Roman Catholics are you afraid—the higher, or the lower? You do not trust those whose property gives them an interest in the country, and whose superior knowledge and information teach them to prefer the Government of their country to every other; but you rely on the ignorant and uninformed. You place in the hands of the latter the means of insurrection,

rection, and you take from the former the power they would have, by their influence, to repress commotions. But though you have little to give, what they have to ask is to them immense. You have left them much power to do you mischief, and have afforded them little means of doing you good. Though they require only Qualification, Corporation, Parliament, and Offices under Government, the object is of great magnitude to them. It is founded on the great principle of requiring to be placed on a footing of equality with their fellow-subjects. Equality of rights is one of the principles which is dearest to the human heart, and it is one which the laws of Great Britain, to their immortal honour, sanction. In whatever country that principle prevails, it produces the greatest of blessings. That country is truly happy, where, in the language of a great modern poet,

> " Though poor the peasant's hut, his feasts though small,
> " He sees his little lot the lot of all;
> " Sees no contiguous palace rear its head,
> " To shame the meanness of his humble shed."

If a people are placed in a state of humility and degradation, can it be said, that to get out of that situation is to them nothing ? But the confusion which prevails on this question has arisen from mixing politics and religion, two things which it has always been the wish of the wisest philosophers and statesmen to keep distinct and separate. It is with great concern I have heard, that some eminent Members of the established Church are hostile to the proposition I have to make ; but I have some consolation in reflecting, that person enjoys as high a reputation as any member of the Church, and for whose character I have the highest veneration and respect—I mean, Dr. Paley. He observes, " It has indeed been " asserted, that discordancy of religions, even sup- " posing each religion to be free from any errors " that affect the safety or the conduct of Govern- " ment, is enough to render men unfit to act to- " gether

" gether in public stations. But upon what argu-
" ment, or upon what experience, is this assertion
" founded? I perceive no reason why men of differ-
" ent religious persuasions may not sit upon the
" same bench, deliberate in the same council, or
" fight in the same ranks, as well as men of vari-
" ous or opposite opinions upon any controverted
" topic of natural philosophy, history, or ethics."
Dr. Paley considers restraints only justifiable on account of political opinions, which may affect the safety of Government. In endeavouring to state the case of exclusion, he says—" After all, it may be
" asked, Why should not the legislator direct his test
" against the political principles themselves, which
" he wishes to exclude, rather than encounter them
" through the medium of religious tenets, the only
" crime and the only danger of which consist in their
" presumed alliance with the former? Why, for ex-
" ample, should a man be required to renounce Tran-
" substantiation before he be admitted to an office
" in the state, when it might seem to be sufficient
" that he abjure the Pretender? There are but two
" answers that can be given to the objection which
" this question contains: first, that it is not opinions
" which the laws fear so much as inclinations, and
" that political inclinations are not so easily detected
" by the affirmation or denial of any abstract propo-
" sition in politics, as by the discovery of the reli-
" gious creed with which they are wont to be united:
" secondly, that when men renounce their religion
" they commonly quit all connection with the mem-
" bers of the church which they have left, that church
" no longer expecting assistance or friendship from
" them; whereas particular persons might insinuate
" themselves into offices of trust and authority, by
" subscribing political assertions, and yet retain their
" predilection for the interests of the religious sect
" to which they continued to belong. By which
" means Government would sometimes find, though
" it could not accuse the individual, whom it had

" received into its service, of disaffection to the "civil establishment, yet that, through him, it had " communicated the aid and influence of a power- " ful station to a party who were hostile to the con- " stitution. These answers, however, we propose " rather than defend. The measure certainly can- " not be defended at all, except where the suspected " union between certain obnoxious principles in po- " litics, and certain tenets in religion, is nearly uni- " versal ; in which case it makes little difference to " the subscriber whether the test be religious or po- " litical; and the state is somewhat better secured by " the one than the other." I shall only take up the time of the House a few moments in reading another passage, in which it is clearly stated, that restrictions should not be continued after the circumstances in which they have originated have ceased. " Thus, if " the members of the Romish Church for the most " part adhere to the interests, or maintain the right, " of a foreign pretender to the Crown of these king- " doms, and if there be no way of distinguishing " those who do from those who do not retain such " dangerous prejudices, Government is well war- " ranted in fencing out the whole sect from situa- " tions of trust and power. But even in this exam- " ple it is not to Popery that the laws object, but to " Popery as the mark of Jacobitism ; an equivo- " cal, indeed, and fallacious mark, but the best, and " perhaps the only one that can be devised. But " then it should be remembered, that as the connec- " tion between Popery and Jacobitism, which is " the sole cause of suspicion, and the sole justifi- " cation of those severe and jealous laws which " have been enacted against the professors of that " religion, was accidental in its origin, so probably " it will be temporary in its duration; and that these " restrictions ought not to continue one day longer " than some visible danger renders them necessary " to the preservation of public tranquillity." Whatever then may be the opinions of certain Members of the

the Establishment, I am happy to have the opportunity of quoting one authority, which all who love profound learning, exalted virtue, and sound morals, must respect. With regard to the time when these restrictions ought to have been removed, if there could be one time more proper than another, it was when the Union was carried. To that measure I certainly was hostile, and I have seen nothing since which could induce me to alter my opinion; but whether that opinion be right or wrong, is nothing to my present argument. The period at which the introduction of this measure would have been most proper, doubtless, was the moment when the expectations of the Roman Catholics were raised, when hopes were held out to them, or when they themselves at least conceived that the hour of their emancipation was arrived, and that they were to be placed on an equal footing with their fellow citizens. It has been said, however, that on this subject an argument may be drawn from practice which is sufficient to silence all reasoning. No one is a greater friend to the opposition of practice to theory than I am, when that opposition is justly applied. In the present case it is observed, that when the severe laws existed against the Roman Catholics in Ireland, all was tranquillity, even during the rebellions of the years 1715 and 1745; but that, after the concessions had been granted, the rebellion of 1798 broke out, in which the Roman Catholics joined for the purpose of subverting the Monarchy and the Constitution. If this argument were true, it would go only to this,—that restrictions are good for keeping mankind in a state of tranquillity; and, therefore, you ought never to release them from severe laws, never restore them to their rights. This argument goes against every principle of liberty, and is only calculated to support the cruellest tyranny and most degrading slavery. Its present object is to deprive of their rights one-fourth of His Majesty's subjects, and to place them in a state which must greatly embarrass the

power

power and resources of the Empire. Surely if there be a malady in our situation, this is it. But were there no circumstances besides the concessions, which rendered the situation of the Irish Catholics very different in the year 1798 from what that situation was in the reign of George II.? Is it supposed that the operation of the French Revolution had no influence on their minds, as well as on the minds of men in other parts of Europe? The circumstances of that Revolution may fairly be allowed to have tended to make them swerve from their allegiance, not as Catholics, but as subjects. Is there not also some allowance to be made for the connection formed between the Roman Catholics and the Protestants of the North of Ireland, a people of enlightened minds, powerful from their talents and their industry? But the people of that part of Ireland, who are well known not to be much attached to the Established Church, considered the Catholics to be, like themselves, persecuted. The year 1798 opened new views, and to the union which was then formed between the Protestants and the Catholics ought the activity of the latter in the Rebellion to be in some degree ascribed. There is also another little circumstance which ought not to be passed over, when it is attempted to be argued that nothing intervened between the concessions in the year 1793 and the Rebellion. Did nothing happen during Lord Fitzwilliam's administration? Did that Noble Lord not conceive that he was acting the best for the peace of Ireland, by holding out to the Catholics the hope of what they called their emancipation? Doubts have been entertained whether he was authorised by Government to encourage such hopes: but that has nothing to do with the present question; that the expectation did exist, is a fact of the greatest importance. When that Noble Lord was recalled, when a motion was made on the subject in Parliament, and negatived, the Roman Catholics saw with grief the cup they had looked at with so much eagerness, sud-

denly dashed from their lips at the moment they at last expected to enjoy it. Would not any man say, that if he were a Catholic, this would have been to him a great cause of despondency? The history of the country showed the melancholy consequences of that disappointment; for it was not until after the recall of Lord Fitzwilliam that a connection began to be formed between Ireland and France: and there is every appearance that the disappointment then experienced by the Roman Catholics drove some of them into this connection. We have been told, that it appears from certain inquiries made by the Irish Parliament, that Catholic Emancipation and Reform were not considered by the people in some parts of Ireland as of more value than a bit of paper or a drop of ink. I believe this may be the fact; but was it not also stated by the same persons, that, had these measures been granted, they were aware that they must have given up all hope of doing what they call good, but which we call mischief? All those who wished to revolutionize Ireland were greatly alarmed during Lord Fitzwilliam's administration, and were perfectly convinced, that, if the measures he proposed were carried, their intentions would be completely defeated. I have been told, that at the time of the Union no distinct promise of redress was made to the Roman Catholics, and I believe it. No Minister could promise that which depended upon the determination of Parliament. The Right Honourable Gentleman opposite to me could have done nothing more than promise to recommend their claims: but did not the Catholics believe that through the measure of the Union they would obtain complete redress? Did they not rely on the promised support of the Right Honourable Gentleman? It was on that ground they gave all their weight to the proposition of the Union; and I know some who have felt less kindness to the Catholics on that account. The persuasion was certainly general, that the Catholic claims would be fully granted after the Union, and a

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Learned Gentleman now hostile to these claims appears to have promoted this persuasion. In a letter written by that Learned Gentleman to an Honourable Friend of mine, whom I am happy to see a Member of this House (Mr. Grattan), there is a paragraph to this purport—"If we were one people with the British Nation, the preponderance of the Protestant interest in the whole State would then be so great, that it would not be any longer necessary to curb the Roman Catholics by any restraints whatever." Now when the Roman Catholics found the opinion stated by the Learned Gentleman (Dr. Duigenan), who had been through the whole of his life against granting them redress, must they not have expected that the passing of the Union was to be the signal for the redress of their grievances? In a printed speech, too, (printed in a way which might entitle it to be referred to as some authority) of a Noble Lord who once filled the chair of this House (Lord Sidmouth), this passage of the Learned Gentleman's letter is referred to in support of the opinion, that no restraints would be necessary after the Union. If then that Noble Lord drew this inference, what conclusion was it to be expected the Roman Catholics themselves should form? At that time, then, it appeared to be thought that the repeal of these laws would be a measure of safety to the British Empire: and yet they remain in the same situation. I state not this as any reproach to the Right Honourable Gentleman opposite to me; but what must the Catholics think, when they find that those who most favoured the Union, and who, on account of the measures then in contemplation, held up that event as eminently calculated to promote the well-being and security of the British Empire, opposed their hopes? What the circumstances were, which prevented this question being then brought forward, I shall not attempt to discuss, because I do not pretend to know them; but I must observe, that its delay might have led to the very worst consequences. The Catholics, how-

ever, have shown by their conduct thatthey are guided by principles which merit the highest encomium. Their disappointment has not made them resort to popular clamour or tumult. They have brought forward their claims in the most constitutional manner, and they rely with confidence and respect on the justice of this House. The presenting of the present Petition is a pledge of the propriety of their conduct; and though my motion should not this night be acceded to, they will still have gained something, by having an opportunity afforded them of stating their opinions. A great and respectable part of the people of the Empire are now in favour of their claims. The people of England will soon be completely convinced of the propriety of granting them all they demand; and antiquated prejudices, which it is my lot to expose in 1805, and which were doubtful in 1669, will be completely done away.

Hitherto I have said nothing of a kind of mysterious objection which has been lately started. I have been asked—"Why do you bring on this question when success is impossible?" Another tells me, —"I like the measure as well as you; but why press it when there is no chance of success?" Why, I know of no circumstance that should render it impossible to carry this question in the House; and there would at least be a little better chance of success, if all those Gentlemen who are in favour of the measure would favour us with their votes. I have been told that the repeal of these laws is conceived to be contrary to His Majesty's Coronation oath. Now, Sir, were I to propose any thing which would be a violation of His Majesty's Coronation oath, I should not only think myself a disloyal subject, but a dishonest man. But how absurd would it be to suppose that Parliament, who made that oath for the King to take, should understand it to bind him to refuse his assent to future Acts which they might present to him! The oath, as framed by Parliament, was administered to King William, and Statutes now proposed

proposed to be repealed were passed after he had taken the oath. Now, if it could be maintained that the oath has any reference at all to Legislative measures, still I would ask, how can it affect Acts passed after it was framed? Such a doctrine appears to me calculated to produce the greatest confusion, and completely to overturn the Constitution. If it were true, the Government of this country would no longer be a mixed Monarchy, but we should be in a mixed state of anarchy and confusion. But it is supposed that the Coronation oath would be violated, because the effect of the measure now proposed would, it is said, be to overturn the Church Establishment of this country. These laws were, however, made against Dissenters of all descriptions; and yet the Church was not overturned by our Union with the Presbyterians of Scotland. Was the Coronation oath made to bend in the one case, and not in the other? According to this new doctrine, Queen Anne must have broken her Coronation oath when she consented to the Union with Scotland, and His present Majesty must already have violated his Coronation oath more than once, when he sanctioned the Acts passed in his reign for the relief of the Roman Catholics. His Majesty did not refuse his assent to these Acts; on the contrary, he did what I am sure he always will do;—he followed the advice of Parliament, exercising at the same time his own judgment. While I glory in the name of an Englishman, I never can say that any thing which Parliament thinks fit to be done cannot be done. [*Hear! hear!*] If it had been the practice that nothing was to be moved in this House, but such questions as Gentlemen had a reasonable hope of carrying, the country would have been deprived of most of the laws which now constitute its greatest pride and boast; for the best measures have in general been at first strongly resisted, and have at last been rendered ultimately successful by the perseverance of those who introduced them, and the good sense of Parliament.

ment. But I never can believe that any branch of our Constitution will forget its duty; and I am sorry that the report of an opinion having been given on this subject, should be circulated—said to be given, too, by one who has a Legislative voice, but who has no right to pronounce any opinion on matters pending in this House. [*Hear! hear!*] His Majesty's lawful authority is one of the corner stones of the Constitution; but while I shall always exert myself to support that lawful authority, I cannot be silent when I see interested persons endeavouring to extend that influence beyond its due bounds. It would be a great and incalculable evil, were it to be established as a maxim in this House, that no person must move any measure, however great its benefits might be, if it were once whispered about, that it could not be successful, because another branch of the Constitution was hostile to it. I could wish to see any sacrifice made for the gratification of the Crown, except the sacrifice of the welfare and security of the country. The man who countenances such a sacrifice is not a loyal subject—is not one who loves his King, but one who flatters him in order to betray him. [*A loud cry of Hear!*]

Having now troubled the House at so much length, I shall only briefly state a few of the minor points which the subject presents. There may be some persons who would not wish to repeal the whole of the restraints upon the Roman Catholics, but who would wish to do away a part: I should therefore expect, that all who view the question in this way will concur with me in voting to refer the Petition to a Committee, in order to discover what part of the laws it may be fit to repeal. Among these minor points will also fall to be considered the situation of the Army. A Catholic may serve in the King's army in Ireland: he may arrive to the rank of a General, but not a General on the Staff! If, however, he comes to England, he is liable to pains and penalties on account of his religion. Surely

those who would resist the question in the whole, must at least allow that this is a case in which some relief ought to be given. I am also assured that the common soldiers are restrained from the exercise of their religion sometimes in Ireland; but almost always in England. Some alteration is also necessary in the law of Marriage. I mention these circumstances as forming parts of the question which ought to induce such persons as think them worthy of redress, to go into a Committee, whatever their objections to the general question may be. I have stated, that the disabilities under which the Catholics suffer are of two sorts; namely, those which consist of restrictions on the King's prerogative, and those which restrain the choice of the people. I think that Roman Catholics ought, like all the other subjects of His Majesty, to be enabled to hold places under the Crown, and to sit in Parliament; but I understand there are some who would consent to a proposition for rendering them accessible to offices, but who would not agree to give them seats in Parliament. Those who entertain this opinion surely cannot refuse to go into the Committee. I understand there are others who, on the contrary, think it advisable that Roman Catholics should be excluded from offices in the executive part of Government; but that, on the ground of virtual representation, which I have stated, they ought to be admitted to seats in the House of Commons. I own that I think this opinion the most rational of the two; and surely those who entertain it cannot object to the motion I am about to make.—I have now stated most of the general grounds on which I think the repeal of the laws complained of is advisable; and I shall now very briefly mention a few of the advantages which might be expected to result from such a measure. A great proportion of the last and of the present Session has been consumed in considering of the best means of recruiting the Army, and of increasing our local and disposable force.—Now,

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without disparaging the modes recommended by my Honourable Friend on this Bench, or the Right Honourable Gentleman opposite, for attaining this desirable object,—I will venture to say, that no scheme whatever of parish recruiting, limited service, or militia volunteering, can equal the effect of this measure. All these schemes are tardy and trifling, compared to the prompt and large supply which would be afforded by Ireland, were the laws against the Roman Catholics repealed. You now receive into your army Irish Roman Catholics; but what might not be expected from the zeal and gratitude of a nation famed for warmth of temper and generosity, fondly exulting in a triumph obtained over illiberality and prejudice? All your other supplies would be little rivulets, compared to this great ocean of military resource. But you are not merely to consider the number, but also the nature of the circumstances under which you would obtain the recruits. Look at the situation of France, our formidable enemy; is she formidable for her finances, her naval power, her commerce, or any other resource except her population? It is from the disproportion of our population to hers, that we can have any thing to apprehend. We are weak only in our population. Why then do we hesitate to adopt a measure which would afford us so powerful a reinforcement? In this age foreign conquests have been less valued than they were in former times; but if conquests deserved to be ever so much esteemed, what conquest ever could equal either the true glory or solid advantage of re-acquiring one-fourth of your population? What prospect can be more consolatory than that of thus adding to your strength that which cannot now be called a part of your strength, but may rather be named a part of your weakness? The Protestant ascendancy has been compared to a garrison in Ireland. It is not in our power to add to the strength of this garrison, but I would convert the besiegers themselves into

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the garrison. How can you suppose that these four millions of men should feel themselves in the situation of the other twelve millions, which form the population of the British Empire? They know that they furnish you with recruits, from whom you may with reluctance choose Serjeants: they send you Officers, but they know that they never can rise to the rank of Generals. They supply you with sailors, who never can advance to any eminence in their profession. How different would our policy be, how different our situation in a military point of view, were the means I propose adopted! There would be no differences, no discontents; but all the subjects of the Empire, enjoying equal rights, would join with one heart and one mind in its defence. I am sanguine in believing that these equal rights and laws will be granted to the Roman Catholics. I am even sanguine enough to believe, that many bad consequences which might be expected to result from a refusal of them, will not follow the rejection of this Petition. I rely on the affection and loyalty of the Roman Catholics of Ireland; but I would not press them too far, I would not draw the cord too tight. It is surely too much to expect that they will always fight for a Constitution in the benefits of which they are not permitted to participate. No permanent advantage can arise from any measure, except that which shall restore them to the full enjoyment of equal rights with their fellow citizens. In the present situation of Europe, and when the designs of the enemy are considered, Ireland is a place where the active exertions of this country may be required; and this is one of the grounds on which I am anxious that the motion I am about to propose should be acceded to. Whatever be the fate of the question, I am happy in having had this opportunity of bringing it under the consideration of the House; and I shall detain you no longer, but to move, "That the Petition be referred to the consideration of a Committee of the whole House."

DR. DUIGENAN roſe, and oppoſed the motion in a ſpeech of nearly three hours continuance, of which we have faithfully endeavoured to preſerve the *ſubſtance* and *ſpirit*; but a detail verbatim would be too voluminous for our work.

Sir, I have read the Petition now before the Houſe, ſubſcribed by ninety-one names, of which *ſix* are Peers, three Baronets, and the reſt Commoners: one, the Earl of Shrewſbury, is a Peer of both countries, but has no property in Ireland, and is an Engliſhman by birth: three others were created in the preſent reign—Lord Kenmare, who formerly claimed, under the illegitimate title of a Patent of James the Second, after his abdication, and conſequently void until renewed by his preſent Majeſty:—and the anceſtors of the Lords Fingal and Gormanſtown were under attainders for High Treaſon, upon Outlawries during four generations, which were not reverſed until through the favour of his preſent Majeſty; and Lord Southwell, of Proteſtant anceſtry, became a Catholic by the circumſtance of his father's changing to that religion in France, and educating him in the ſame principles; ſo that till a few years ſince the whole number of the Iriſh Catholic Nobility did not exceed two. Two of the three Baronets were alſo created by his preſent Majeſty. From nineteen of the thirty-two counties in Ireland there is not one ſubſcriber, and from four of the remaining thirteen, but one each, and not a ſingle name from all the Catholic Clergy. How, therefore, can this Petition be ſaid to come from the Catholic Communities, either of Ireland or Great Britain? I rather ſuſpect the Petitioners are ſelf-commiſſioned; for five of them profeſs to be delegated by the reſt to procure its preſentation and ſolicit its ſucceſs—one of theſe is a barriſter, named Mr. Dennis Scully. He publiſhed in Dublin, 1803, a pamphlet called "An Iriſh Catholic's Advice to his Brethren, how to eſtimate their preſent Situation, and repel French Invaſion, Civil War, and Slavery." In this he adviſes the Iriſh Romaniſts, in caſe of invaſion, rather to join the King's ſtandard than that of Bonaparte—ſolely on the ground of its being more advantageous, and not at all on the ground of allegiance; but the whole tenour of the pamphlet is an inſidious ſuggeſtion of ideal grievances to excite the Romiſh populace, in the moſt horrid forms, to furious acts of inſurrection and revenge againſt their Rulers—ſo that the advice ſeems a mere artifice to ſcreen the author from legal puniſhment, for ſo malignant, ſo atrocious, and ſo vengeful an attack upon the Proteſtant government of Ireland for centuries paſt. It overflows with gall, and is filled with the moſt inſulting epithets againſt the authors of the Revolution: he ſpeaks of "the gallant and obſtinate de-

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fence of Limerick, by his Catholic anceſtors under Sarsfield, for their hereditary King James II. againſt a Dutch invader and his hired battalions;" and ſpeaking of the gallant army ſent to Ireland to puniſh rebels and murderers, he talks of " the miſery cauſed by thoſe taylors, tinkers, ſmiths, coblers, drummers, trumpeters, who, after the ſlaughter of 100,000 perſons, obtained various eſtates there.—The officers of this gallant army, so reviled for reſtoring Ireland to the monarchy of England, were the anceſtors of the greater part of the Iriſh nobility and gentry of the preſent day. He alſo ſtyles the Iriſh Parliament ' a Club,' and their Houſe ' a Club-Houſe.' Speaking of the firſt Magiſtrate, he ſays he may be liable, like the maſter of a family, to fits of anger, caprice, or prejudice, or at times be obſtinate, ill-humoured, improvident, or infatuated upon certain ſubjects. And with reſpect to the Royal ſcruples on the Coronation oath, as to the Iriſh Romaniſts, he undertakes to apologize for His Majeſty, and hopes he will change the opinion he is underſtood to entertain; and that it is not to be imagined a quibbling crotchet in an oath will circumſcribe the juſtice of the benevolent father of his people."—And ſuch is the agent and advocate the Catholics of Ireland have choſen for a Petition like this, on the ſcore of their loyalty and attachment to the State. The Petitioners here allege certain tenets as their political, moral, and religious principles, as inculcated by their faith; and yet not one of their Clergy has ſigned it; the reaſon for which I conceive to be this :—In the year 1793 an oath was propoſed to the Catholics of England, in addition to that of 1773, which goes to renounce the infallibility of the Pope; the power of the Prieſts to give abſolution unconditionally; the intention of ſubverting the preſent Church Eſtabliſhment, and ſubſtituting a Romiſh one; of overturning the preſent arrangement of property in Ireland, and of uſing the power and privileges demanded by the Romaniſts, to weaken the Proteſtant religion and government in Ireland. This oath, three out of the four Apoſtolical Vicars, the ſpecial agents of the Pope in England, reprobated and anathematized in an encyclical letter, dated January 12, 1791, commanded all the Engliſh Romaniſts to reject the oath, and ſtated as their authority the approbation of the Apoſtolic See, and all the Romiſh Biſhops of Scotland and Ireland. Theſe Vicars, however, had ſuch influence with the Engliſh Miniſtry in 1791, as to obtain the omiſſion from the oath of the firſt and ſecond mentioned tenets; and the profeſſors and members of the Iriſh College of Maynooth, founded by Government for the education of Romiſh prieſts, are exempted alſo from this part of the oath: and the reaſon, as I conceive, why no Clergyman has ſigned this Petition is

becauſe it denies this infallibility and unconditional power of abſolution. This Petition demands, upon the grounds of juſtice and public utility, the very ſame meaſures for the attempt, to enforce which, James II. loſt the throne of his anceſtors; and the reaſons he aſſigned were preciſely the ſame, "to cauſe and promote a brotherhood of affections, and a conciliation of religious differences, to render the nation happy at home and formidable to foreign nations." If his attempt was juſt, he muſt of courſe have been unjuſtly dethroned; and the direct conſequence is, that his preſent Majeſty's title to the throne is unjuſt. But let the Houſe determine whether or not this doctrine is conſiſtent with loyalty.

I ſhall now ſtate my reaſons fully why I oppoſe the grant of what is aſked in this Petition, as I conceive the queſtion one of the greateſt magnitude ever diſcuſſed within theſe walls. In order to this, I will examine how far the profeſſions of the Petitioners agree with the principles taught by their religion, as laid down by their own writers, antient and modern, and warranted by the uniform practice of their Church for ages. It is firſt neceſſary, however, to obſerve, that their only diſqualification from Seats in Parliament and their eligibility to the offices they ſeek, is their own refuſal to take and ſubſcribe the oath of ſupremacy, and the declaration againſt tranſubſtantiation, indiſpenſably required by law of all the members of both Houſes before they can ſit or vote in Parliament. Their obſtinate refuſal to this injunction is then the ſole cauſe of their excluſion. But if they would even offer to take the oath of ſupremacy, that would be ſome plauſible argument for diſpenſing with the other, as a mere doctrinal point with the Romaniſts, not tending to diſavow the ſupreme authority of the ſtate, and is a matter of opinion only, unconnected with the Government; but by rejecting the oath of ſupremacy, they openly avow their denial that the State has any right to compel their ſubmiſſion to its laws in any point of temporal government intimately and inſeparably connected with the ſupreme power in ſpiritual matters; they in fact refuſe an oath of allegiance to the State, and contend for the authority of an external power, to which their allegiance is due in all ſpiritual matters, which that power may deem ſpiritual, as well as in all temporalities inſeparably connected with ſuch ſpiritual ſupremacy, which may amount to half the temporal power of the State, and may in time ſwallow up the whole, as attempted in many other countries; and it is to be left for a foreign eccleſiaſtic and his vaſſal prieſts in this empire, to define what portion in temporal matters comes within the vortex of ſpiritual ſupremacy. The Pope himſelf never claimed any temporal power, but under the pretext of its connexion with ſpiritual power;

power; and hiſtory and our ſtatute books will ſhow what immenſe temporal power he claimed under ſuch a pretence, even within this realm; and the declaration of the fourth general council of Lateran ſhows the ſcope of authority over temporal princes and their dominions claimed by the Popes. To permit ſubjects holding ſuch a doctrine as a point of faith, to ſhare in the Proteſtant Legiſlation of this country, when ſupremacy is lodged in a popular aſſembly, is not only abſurd in the extreme, but would be ruinous to the Conſtitution. The oath of ſupremacy was originally framed in the reign of Henry VIII. merely as an oath of allegiance to the Crown, againſt the intolerable uſurpations then exerciſed in England under the maſk of a ſpiritual power, equal at leaſt in many caſes, and in many others paramount and ſubverſive, to the power of the Crown, as will appear by the preambles to the ſtatutes of Henry VIII., 24th, chap. 12, 25.—25th, chap. 21.—26th, chap. 1—32d, chap. 38.; and the Iriſh ſtatutes, 28th Henry VIII. chap. 13. —2d Elizabeth, chap. 2.—By this oath the King was declared only Supreme Head on earth of the Church of England and Ireland; and in anſwer to the objections then made, the King publicly declared, he claimed only a civil ſupremacy, and by no means pretended to any ſacerdotal power; and that his ſupremacy was not that purely ſpiritual power lodged in the Church, but a temporal ſupremacy over all the ſpiritual power of it within his own dominions. The only perſons of the nobility, church or ſtate, who refuſed this oath, were Sir Thomas More, and Fiſher biſhop of Rocheſter. The Romaniſts were better ſubjects in that day than in this. Queen Elizabeth, however, was induced by the partiſans of Rome to alter the clauſe in the oath, and inſerted that the King or Queen of England for the time being is the only ſupreme governor of this realm, as well in ſpiritual or eccleſiaſtical things or cauſes as in temporal ones—ſtill, however, diſclaiming all pretenſions to prieſtly power, or to any authority not of antient time due to the Imperial Crown of England, in the ſovereignty and rule over all manner of perſons born within her dominions, temporal or eccleſiaſtical, to the excluſion of all foreign power. The Romaniſts, however, by the anathemas of the Pope, were ſo much changed for the worſe ſince the days of Henry, that they univerſally refuſed this ſimple oath of allegiance to their natural ſovereign. James II., a bigoted papiſt, finding himſelf inveſted by this oath with the ſupremacy of the Eſtabliſhed Church, was induced by his bigotry, in direct violation of his Coronation oath, to uſe his authority for the ſubverſion of the Eſtabliſhed Church.

But the ſagacity of thoſe Patriots who conducted the glorious

rious Revolution determined them to reſcue the Church from ſuch peril, and they cauſed to be expunged from the oath of ſupremacy the words—" that the King is the only " ſupreme governor of this realm, as well in ſpiritual or " eccleſiaſtical cauſes as temporal"—ſo that the ſubject is now bound by the oath of ſupremacy only to ſwear to the independence of this empire upon any foreign power. It is merely an oath of allegiance; it always was ſo—and ſuch as no ſubject, not actually a traitor, can conſcientiouſly decline, for it is purged of all reaſonable and plauſible objection. It never was an oath of excluſion, neither of reſtriction, except to traitors, and is, in every ſenſe, ſtrictly conformable to the antient law of the realm as recognized in the preamble of the ſtatute of præmunire in the 16th of Richard II. which recites " that the Crown of England ever hath been free, and ſubject to none but God, and that the laws and ſtatutes of this realm ought not to be submitted to the biſhop of Rome to be defeated at his pleaſure, to the deſtruction of the King, his Crown and Regalia." And this was the voice of the people of England in open parliament. See Carte's Ormond, vol. i. page 36 to 43. and Davis's Reports, Caſe Præmunire. The Romaniſts of this day and all their abettors (among whom, on this point, they recruit all the Jacobins of the country) deſire to have this oath repealed—thus acting in the ſpirit of traitors to their country from motives of conſcience, maintaining its ſubjection to a foreign power, and profeſſing to ſupport that power in all poſſible ways, by arms or other means to bend their country to its authority; they therefore demand a repeal of the law which requires an oath of allegiance to the conſtitutional government, and which muſt be an acknowledgment of its ſubjection to a foreign tribunal. " It will enable us," argue they, " to obtain ſeats in the great national council, and procure for us power to betray the independence of our country. The Pope and our divines aſſure us, we are bound in conſcience to do ſo whenever we can. Doctor Troy of Dublin, that eminent Dignitary of our Church, in his Paſtoral Letter of 1793, has told us that the Pope of Rome is ſucceſſor to St. Peter, and prince of the apoſtles—that he enjoys, by divine right, a ſpiritual and eccleſiaſtical primacy in honour and rank—and alſo of real juriſdiction and authority in the Univerſal Church—that we cannot conſcientiouſly abjure his authority. That Henry VIII. was the firſt Chriſtian prince who aſſumed eccleſiaſtical ſupremacy, and commanded an enſlaved parliament to enact it as a law of State; and the Catholics conſider it as an uſurpation from which we will by every means in our power endeavour to free ourſelves; and we

pray

pray you, good, kind, liberal Proteſtant uſurpers! to aſſiſt us in our purpoſe, and enable us to betray our common country to dependence and ſlavery." To ſhow the true ſpirit of the Romaniſts with reſpect to temporal governments, it is neceſſary to inquire whether thoſe I have ſtated have ever been diſavowed, and whether and at what time any material change has been effected in them? All the Roman biſhops reſident in the Britiſh dominions (and who aſſume their titles in direct violation of law) at their reſpective conſecrations do ſwear an oath of allegiance to the Pope: and among other clauſes, that they will from that hour forward be faithful and obedient to St. Peter, and to the Holy Church of Rome, and to their Lord the Pope and his Succeſſors canonically entering: that the papacy of Rome, the rules of the Holy Fathers, and the regality of St. Peter, they will keep, maintain, and defend, againſt all men; the rights, privileges, and authorities of the Church of Rome, and of the Pope and his Succeſſors, they will cauſe to be conſerved, defended, augmented, and promoted. Another clauſe in the oath is, That heretics, ſchiſmatics, and rebels to the Holy Father and his Succeſſors, they will reſiſt and perſecute to their power. This laſt clauſe Dr. Troy ſtates to be now omitted in the oath of the Romiſh biſhops, in countries not in communion with the See of Rome, at the repreſentation of the late Empreſs of Ruſſia, on condition of ſuffering a Papiſt biſhop to reſide within her dominions; and if ſuch be the fact, the oath wears ſufficient hoſtility to a Proteſtant State even without it. A ſimilar oath is taken by the prieſts at their ordination, to the Pope and the Council of Trent, binding themſelves to condemn, reject, and anathematize, all opinions ſo condemned by the Pope or that Council. The Council of Lateran in 1215, under Pope Innocent the IIId, conſiſting of 400 biſhops and 800 fathers, acknowledge the power of the Church (that is of the Pope) to diſpoſe of the dominions of Kings and Princes, to command temporal Lords, to purge their dominions of hereſy, under pain of excommunication; to abſolve ſubjects from their allegiance; to denounce againſt kings, rulers and ſubjects, guilty, or even ſuſpected, of hereſy or inactivity in detecting and puniſhing heretics—the moſt terrible puniſhments, ſuch as baniſhment, confiſcation, torture and death: declaring that no faith is to be kept with heretics, nor conventions nor agreements; or, if made, that they were nullities; and that no communication of any kind is to be held with them. The Council of Conſtance in 1415—the ſubſequent Council of Baſil, and of latter years the Council of Trent, in the 16th century, all confirm the decrees of the Lateran Council, particularly in reſpect to he-

reſy; and upon a breach of faith ſo ſanctioned by the Council of Conſtance, in its 12th ſeſſion, in the 15th century, was John Huſs condemned for hereſy and burned alive. Agreeably to the decrees of the Lateran Council, Queen Elizabeth was excommunicated by Pope Pius the Vth, and her ſubjects abſolved from their allegiance. His bull was afterwards renewed by his ſucceſſor Gregory XIII. Pope Clement IX., conformably to the ſame decrees, iſſued a bull, enjoining the Engliſh Romaniſts to keep out the Scottiſh heretic (meaning James I.) from the kingdom of England, unleſs he would reconcile himſelf to Rome, and hold his crown of the Pope, (ſee Carte's Ormond, vol. i. p. 33.) and conform himſelf and all his ſubjects to popery. All theſe, not from the private ambition of the Popes, or the Court of Rome, by the injunctions and deciſions of their Eccleſiaſtical Councils. In like manner was Charles VI. emperor of Germany, commanded by the letter of Pope Clement XI, dated June 4th, 1712, to annul the treaty of Alt' Raſtadt, by which he granted certain privileges to his Proteſtant ſubjects, and formed ſome covenants with the Proteſtant Princes of the Empire, and declaring the ſame for ever null and void, though the ſame have been repeatedly ratified and ſecured by oath. The Pope's Legate at Bruſſels, when it was in contemplation to propoſe an oath of allegiance to the Catholics of Ireland, in the year 1768, writes to Ireland that the *abhorrence* and *deteſtation* of the doctrine, that faith is not to be kept with heretics, and that princes deprived by the Pope may be depoſed or murdered by their ſubjects, as expreſſed in that oath, are abſolutely intolerable—becauſe, as he ſtates, thoſe doctrines are defended and maintained by the moſt Catholic nations, and the See of Rome has often followed them practically; and he adds, that as the oath is in its whole extent unlawful, ſo it is in its nature invalid, null, and of no effect, inſomuch that it can by no means bind or oblige conſciences.—But to come down to authorities ſtill more recent—Dr. Troy, the Romiſh archbiſhop of Dublin (who openly aſſumes the archiepiſcopal arms ſurmounted with a Cardinal's cap, from which I preſume he muſt be a Cardinal—in his Paſtoral Letter of 1793, aſſerts, "that all Catholics conſider the expreſs deciſions of their general councils to be infallible authority in point of doctrine;"—and Dr. Huſſey, another Catholic biſhop, appointed by the Pope to the ſee of Waterford, in his Paſtoral Letter of 1797, maintains the ſame doctrine, and forbids, under pain of excommunication, all Romaniſts from ſending their children to Proteſtant ſchools, and exhorts all the Romiſh ſoldiery not to obey their officers in any orders relative to ſpiritual concerns,—reſerving the

explanation

explanation of that term to himſelf and the Romiſh Prieſthood; and adding, that any officer who ſhould enforce obedience to orders relating to ſpiritual concerns, might feel the effect on the day of battle; or, in plain Engliſh, that the Romiſh ſoldier might then turn upon and aſſaſſinate him, or deſert to the enemy. This ſame Dr. Huſſey was ſent over to Ireland by the Britiſh Miniſtry, under the protection of the Britiſh Secretary of State in Ireland, and made Preſident of the magnificent Popiſh College at Maynooth, upon a foundation infinitely more grand and expenſive than any Proteſtant College in the Empire, then founded and endowed for the excluſive education of Romiſh Prieſts, by the expreſs deſire of the Britiſh Miniſtry, for the perpetuation of popery and diſaffection in ſo principal a member of the Britiſh Empire.

Dr. Troy was a great favourite at the Iriſh Court during the adminiſtration of Marquis Cornwallis; and another Romiſh prieſt, of the name of Milner, one of the four apoſtolic vicars in England, in a very late publication, has taken great pains to inform his Sovereign, or future ſovereigns, of his own conſtruction of the Coronation oath, and ſays, "that every human law, promiſe, or other engagement, however confirmed by oath, muſt neceſſarily turn upon the cardinal virtue of prudence;" thus implying that the obligation of fulfilling an oath turns upon expediency. There is no great occaſion, however, to apprehend that his *preſent* Majeſty will conſult this caſuiſtical Romiſh divine on points of conſcience. The Romiſh Church has never diſavowed thoſe principles; and their rejection of the oath of ſupremacy, a ſimple oath of allegiance, proves that they never have changed their principles. To allow the ſupreme control over theſe realms in caſes of wills, of marriages, of legitimacy, of divorces, of ſucceſſion to property, of dowries, and various concerns purely of a temporal nature, to the Pope, muſt be obviouſly attended with the worſt conſequences. The power of excommunication, too, is a matter of ſpiritual juriſdiction, which, as well as other inſtances of power tyrannically exerciſed by the Romiſh prieſts in Ireland, over the property and other temporal concerns of the laity, is terrible in the extreme; while auricular confeſſion and abſolution confer upon them a vaſt power over the temporal concerns of their flock. Even Bonaparte himſelf, a fierce unprincipled tyrant and uſurper, was ſo well convinced that the ſupremacy in ſpiritual affairs would ſo powerfully contribute to eſtabliſh and ſupport his own temporal power, that he procured his own coronation by the hand of the Pope, as ſupreme head of the church. That Romaniſts have been admitted to places of power in

Proteſtant deſpotic monarchies or oligarchies, where they may be diſmiſſed at pleaſure, and the great maſs of the people are excluded from any political power, is no argument whatever for admitting them to ſuch power in the popular government of this realm. For in Proteſtant States, where the people or their elective repreſentatives have any ſhare in the government, Romaniſts were always excluded from political power, previous to the deſtructive progreſs of the French Revolution. This was the caſe in the Proteſtant cantons of Swiſſerland, in the United Provinces, and in Holland. So far therefore as the example of other Proteſtant States goes, their excluſion is juſtified in the Britiſh Empire; and our conſtitution is ſuch as renders that excluſion not only expedient, but imperiouſly neceſſary, they being perſons who are the avowed enemies of the Proteſtant State. An honourable and able member of this houſe (Mr. Fox) has more than once aſſerted, that the excluſion of Romaniſts from ſeats in parliament is an unjuſt invaſion of their natural rights; but I repeat, 'tis they who exclude themſelves, by their refuſal to take the teſt propoſed for all others. The honourable member ſupports his poſition by arguing, that no man ſhould be curtailed of his privileges for any private opinion he may hold or promulge, however traitorous or hoſtile to the Conſtitution, unleſs he attempts by ſome overt act to carry them into effect; for that *actions*, and not *opinions*, are the objects of the law. But, though this be admitted, are not the diſſemination of opinions traitorous and hoſtile to the Conſtitution, and the attempt to convert others to ſuch opinions, overt acts, and the juſt objects of penal and reſtrictive laws in the Britiſh Empire? A man may certainly keep deſtructive poiſons in his private cloſet; but if he publicly vend or adminiſter them, will not the laws reſtrain and puniſh him? Preventive laws, which are the wiſeſt of all others in this empire, do make opinions their objects, and impoſe diſqualifications, not only on the holders of certain opinions, but on thoſe who may be reaſonably ſuſpected of holding them. Thus, revenue officers are diſqualified from voting at elections; placemen obliged to reſign their ſeats in parliament upon accepting offices; and all perſons prevented from ſitting for boroughs, who have not 300l. a year, and for counties, who have not 600l. a year, landed property, on the ſuſpicion that, otherwiſe, their particular intereſts might bias them to opinions, and conſequently votes, hoſtile to the intereſts of the State. There is, beſide, no natural right detached from ſocial rights, and no man can poſſeſs any right injurious to the ſtate and laws of that ſociety in which he lives. Away then with the claims of Romaniſts

Romaniſts upon natural right to ſit in both Houſes of Parliament!—The Romaniſts and their abettors, beſide, can derive no benefit from the argument of opinions, in thoſe overt acts I have juſt ſtated; becauſe the overt acts of our own countrymen and others profeſſing this cruel and unrelenting ſuperſtition, have been too frequent, flagrant, and notorious to be denied, from the reign of Elizabeth to the preſent time, for ſubjecting theſe kingdoms to a foreign juriſdiction. Witneſs the bulls of Pope Pius V. for dethroning and aſſaſſinating the Queen of James I.; the conſpiracies of her own ſubjects for her aſſaſſination, and that of her ſucceſſor; the projected Spaniſh invaſion; the deſperate Romiſh rebellions and horrid maſſacres of Proteſtants in the reign of Charles I., of William III., and in 1798, where thouſands of Proteſtants, men, women, and children, were unprovokedly murdered in cold blood. In extenuation and excuſe for which laſt-mentioned rebellion and maſſacre, all the malevolence of the whole Republican, Jacobinical, and Frenchified Faction in England has been ſince employed with the moſt pernicious effects. Even a great miniſter of ſtate in this Houſe (Mr. Pitt) has ſo far ſuffered himſelf to be deluded by their repreſentations, and thoſe of their emiſſaries, as to patronize their claims, on the ſcore of their patience and forbearance for a century paſt, and their hearty concurrence in the late Union. But I maintain, that their whole merit in the former caſe is imputable only to their own impotence, the reſtrictions of law, and the ſuperior power and ſtrength of the Proteſtants. Their diſpoſitions will beſt appear from their repeated and rebellious riſings in Ireland within that time, as White Boys, and Defenders, committing the moſt atrocious acts of murder, treaſon, and deſolation:—and the firſt proof of their peaceable and loyal diſpoſition, after the repeal of the Popery Code, was to break out into open rebellion, and commence the maſſacre of their Proteſtant fellow-ſubjects. But whatever ill-founded plea they may make of quietneſs, the reſult at beſt of their imbecility, to loyalty they certainly have no claim; for their religion is decidedly diſloyal. It was the opinion of Lord Cheſterfield, as appears by his ſpeech on opening the Seſſion of the Iriſh Parliament in 1745, that it was extremely neceſſary to enforce the reſtrictions upon the Romaniſts, "whoſe ſpeculative errors," he obſerved, "would only deſerve pity, if their pernicious influence on civil ſociety did not both require and authoriſe conſtraint." With reſpect to their ſupport to the meaſure of Union, or their exertions to effect it, the tale is as idly groundleſs as their other pretences. The Hiſtory of England ſhows,

from the time of Queen Elizabeth to the late rebellion, that ſeparation, not union, was the object of the Romaniſts, to which all their plots, conſpiracies, maſſacres, and rebellions, were directed; while the Iriſh Proteſtants were always firmly attached to Great Britain, and anxiouſly deſired, until a few years back, an incorporating union; for which their repreſentatives in Parliament petitioned Queen Anne, but from ſome unaccountable haughtineſs it was rejected. But in 1795, the Delegated Aſſembly of Iriſh Romaniſts met at Dublin, from every quarter of the kingdom; proclaimed their abhorrence of that meaſure; and after a diſcuſſion of much length, made up of treaſonable ſpeeches, crammed with the moſt virulent invectives againſt the Britiſh nation, the higheſt praiſes of the French Revolution, ſtigmatizing the war againſt France as an impious cruſade, and calling upon Ireland to ſeparate from this country—they came at length to this unanimous reſolution—" that we pledge ourſelves collectively and individually to reſiſt even our own emancipation, if propoſed to be conceded on the ignominious terms of an acquieſcence in the fatal meaſure of an union with Great Britain." But this was not all; for again in 1799, when an Union was propoſed by Government, they repeated their declarations again at a meeting on the Dublin Exchange, which they publiſhed in all the factious papers of both countries;—and ſimilar reſolutions were adopted by other meetings of Romaniſts in different parts of the country;—though the hoſtility was perfectly impotent; for the ſuppreſſion of their recent rebellion rendered them wholly incapable of either promoting or obſtructing the meaſure.—Yet the Engliſh Government in Ireland condeſcended to negotiate with the party, and endeavoured to procure ſignatures from the dregs of the people of that ſect, to papers and addreſſes in favour of the meaſure; and ſeveral ſuch addreſſes appeared in the Government papers, to which appeared the names of wretches who could not write their names, as if they had ſigned ſuch addreſſes. The very gaols were canvaſſed to procure ſignatures for ſuch addreſſes. In ſhort, with all the activity and intrigue of Government, no numerous body of Romaniſts in the kingdom could be induced publicly to avow their aſſent to the meaſure. Many honeſt men, it is true, on this ſide of the water, ignorant of the ſtate of Ireland, have been duped, by the groſſeſt falſehoods and miſrepreſentations, to approve the meaſure now in diſcuſſion; and there is ſome difference of ſentiments amongſt ſuch men upon the point. But among Demagogues, Republicans, Jacobins, all is unanimity for its ſupport—a circumſtance which ſhould induce all honeſt men

who have been duped, well to reconſider the ground of their opinions. The firſt ſtep of the French Revolutioniſts was the ſubverſion of the Church Eſtabliſhment, which was immediately followed by the overthrow of the Civil Government: ſuch will be the conſequence of the propoſed meaſure if carried into effect in the Britiſh Empire; and therefore all Jacobins approve of it. It is a known matter of fact, that a great majority of the Iriſh Parliament never would have conſented to the Union, had any hint been given, or any ſuſpicion entertained, that this meaſure would have been attempted in conſequence: on the contrary, a principal argument uſed by all the agents of Government, to the Iriſh members, in favour of the Union, was, that it would put an end to all hoſtility to Iriſh Proteſtants, and all further encouragement to the Romaniſts would for ever ceaſe, on the accompliſhment of the Union, as all neceſſity for ſuch a policy would exiſt no longer. But could any Proteſtant Britiſh ſubject ever ſuſpect, that in the reign of a Prince of the Houſe of Brunſwick, a meaſure would be attempted in a Britiſh Parliament, the endeavour for which coſt the unfortunate James II. his crown, baniſhed him and his poſterity, and occaſioned a breach in the hereditary ſucceſſion of our Kings, always a moſt ruinous evil on an hereditary monarchy?—Aſtoniſhing audacity, that what a Britiſh Monarch could not even attempt, with impunity, ſhould after the lapſe of above a century be again attempted by any man in this Houſe, in the reign of a Prince, whoſe Faith, thank Heaven, is Proteſtant, whoſe title to the throne is Proteſtant, and who is bound by his Coronation Oath, as ſtrongly as by his principles, to maintain the Proteſtant Religion as by law eſtabliſhed! The circumſtances of the Union would render ſuch a meaſure much more dangerous than in the reign of James II. from the vaſt influx of Iriſh Romaniſts, who would obtain ſeats in Parliament—above eighty out of the hundred Iriſh Commoners—a formidable band ſtrongly knit together, who would be certain allies of every band of Republicans and Diſſenters, in every oppoſition to Government, unleſs they ſhould be gratified in all their demands, to the utter ſubverſion of our Conſtitution, in perfect coincidence with the purpoſes and deſigns of the Infidel and Republican Factions of our Empire, and the introduction of Anarchy, Democracy, and Atheiſm. But ſuch a meaſure for the aggrandizement of Popery, ſo immediately conſequent upon the very heels of the Romiſh Rebellion in Ireland, and the horrible maſſacre of Iriſh Proteſtants, coupled with the almoſt general pardon of the principal traitors and murderers, actors in it, muſt be conſidered by every reaſonable man as

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a public reward of the utmoſt magnitude and value, conferred upon the Romaniſts of Ireland, for their rebellion and cruel murder of their Proteſtant fellow-ſubjects in cold blood."

The Learned Doctor then proceeded to recapitulate many of his former poſitions, arguments, and deductions, from the Lateran Council, the bulls of Popes, the Popiſh meaſures of James II., and the Paſtoral Letters of Doctors Huſſey and Troy, as well as from the preclusion of Catholics from power in all the free Proteſtant States of Europe; and then entered into a long train of reaſoning upon the landed influence, elective intereſts, and great majority of Romaniſt voters in Ireland, deducing that nearly the whole of the repreſentation muſt be Romaniſts if this meaſure be adopted: and that, bound by their bigotries and mutual intereſts in adamantine bonds, what their conduct would be in Parliament was not difficult to determine. "The firſt meaſure," continued the Learned Doctor, "they will unanimouſly propoſe will be the repeal of all oaths that impede their eligibility to fill about thirty or forty great offices of State, compriſing the Executive Power of the Government. By the intrigues of the Engliſh Miniſtry in Ireland the Teſt and Corporation Acts had been repealed there before the Union, with the exception of the Great State Officers, namely, the Lord-Lieutenant, Chancellor, Twelve Judges, Commander in Chief, King's Counſel, Sheriffs, and a few others. If a future miniſter of the day at any critical period ſhould oppoſe or decline to ſupport their meaſures, the whole corps will immediately join the Oppoſition, who, to ſecure the alliance of ſuch a phalanx, will heartily fraternize with them: and whatever the caſe of national difficulty or diſtreſs, however adverſe to their claims, the ableſt Miniſter will not be able to ſtem the torrent. The Corporation Teſts would ſoon be diſſolved, when the Romaniſts are once eligible to fill the great offices in Ireland. It will be impracticable to exclude them from the poſſeſſion. For ſuch an excluſion would be more galling than their former diſqualification: the Romaniſts of both countries in Parliament would form a junction, and wring from the Miniſter the whole civil patronage of Ireland, and ſecure all the offices for their own ſect—ſo that the whole civil eſtabliſhment in Ireland would become completely Romiſh. But is this all?—Would their Clergy and Community reſt content without a murmur, and ſee the Eccleſiaſtical Revenues in lands and tithes in the hands of the Proteſtant Clergy? Would they not graſp at them too? If the whole Executive Power of the State be in the hands of the Romaniſts, who will warrant to the Proteſtant Clergy any very long poſſeſſion of the Church Revenues? No Miniſter

niſter could prevent it, when the great body of Romaniſts in Parliament ſhould demand it,—which they would not fail to do.—The Church would be ſubverted, and Ireland become a Popiſh country.

"But the Iriſh Romaniſts would not ſtop here. Spurred on by intereſt and ambition, and ſtimulated by the example of the Scotch, who, by a much leſs weight of repreſentation, have obtained not only the higheſt offices in England, beſide all the offices of power and emolument in Scotland, but in the Eaſt and Weſt Indies, they would complain of the Teſt and Corporation Acts in this country, as excluding them from equal ſhare with their Britiſh fellow-ſubjects, and ſtate, that they enjoyed privileges only in one-fifth of the empire, and theſe not excluſively; and they would never ceaſe till they compelled the Miniſter to repeal the Teſt Acts; and if he ſhould determine to defend thoſe laſt remaining bulwarks of the Conſtitution, they would join with the whole herd of republicans who have ſo often reprobated theſe ſtatutes, and attempted their repeal. The attempt for this purpoſe in 1789 and 1790 cannot be forgotten; and if the ſame parties ſhould renew their attempts, backed by ſuch a reinforcement as an hundred Iriſh Romaniſts, equally hoſtile to thoſe laws, their ſucceſs muſt be certain, as thoſe bulwarks muſt yield to the conſtant minings and continued aſſaults of a determined, vigilant, and inſidious enemy, ever recruited by the venemous offspring of Jacobiniſm, Republicaniſm and Infidelity, under the chaotic preſſure of which maſs of deſolating innovation the Church and State muſt inevitably ſink. The very attempt is but the firſt rehearſal of the Gallic tragedy on the Britiſh ſtage. The introduction of all ſects into the French National Aſſembly produced the immediate extinction of the national religion and government, and led to the ſubſtitution of the moſt barbarous deſpotiſm that ever ravaged and deformed any region of the civilized world. *Principiis obſta.* Let us firmly reſiſt the approaches of that ferocious monſter, Gallic Anarchy; and I call upon Britons to reſiſt a meaſure which ſo obviouſly tends to deſtroy that Conſtitution which has been improving from the days of the glorious Elizabeth, till it has attained its preſent unrivalled excellence, and under which you and your anceſtors have lived and flouriſhed for two centuries."

After recapitulating the ſeveral Teſt Acts which muſt be repealed in conſequence of ceding this meaſure, the Learned Doctor proceeded to ſhow that it could not be ceded without the moſt flagrant violation of the Scotch Union Act, a direct breach of faith to the Iriſh Proteſtants, and the infraction of the fifth article of the Union, and of His Majeſty's Coronation Oath.

Oath. In ſupport of his arguments he quoted the authority of Blackſtone, and recited the Coronation Oath under the ſtatute of 1ſt William and Mary. "The patrons of this meaſure (continued the Learned Doctor), aware of thoſe impediments, have ſedulouſly endeavoured, by ſophiſtical arguments, caſuiſtical diſtinctions, miſrepreſentations of ſome facts, ſuppreſſion of others, and ſuggeſtions of falſehoods in pamphlets and newſpapers, to ſap the foundations of this barrier, which they are unable to ſurmount. One pamphlet of this ſort deſerves particular notice; it is written by a Charles Butler, Eſq. of Lincoln's Inn, a lawyer and conveyancer, of the Roman Catholic perſuaſion, whom I underſtand to be a perſon of ſome reputation. It is entitled, 'A Letter to a Nobleman, on the propoſed Repeal of the remaining Penal Laws in Force againſt Catholics.' The author ſtates, that he is leſs acquainted with the Iriſh Popery Laws than with the Engliſh, (obvious enough from his book) and proceeds to give, what he ſtyles, an outline of them; but, in truth, it is an odious, monſtrous, and deteſtable caricatura of the proviſions and effects of the Iriſh Popery Acts of the 2d and 8th of Queen Anne. The whole ſcope of theſe two wiſe Acts was to prevent Romaniſts from acquiring landed property in Ireland; their antecedent rebellions and barbarous maſſacres of the Proteſtants of Ireland having rendered ſuch a prohibition, at that time, not only expedient but abſolutely neceſſary. The pamphlet admits thoſe ſtatutes are now repealed, but its main drift is againſt the obligation of the Coronation Oath. It praiſes the loyalty of the Iriſh Romaniſts during the war, and ſtates, that of the five Directors of the United Iriſh only one was a Romaniſt: but it ſhould have ſtated, at the ſame time, what the truth is, that the other four were deſperate Jacobins and Infidels, with which ſpecies of people the Iriſh Rebels had cloſely connected themſelves; and that nearly the whole maſs of Iriſh traitors, in that rebellion, were Romaniſts, not one in five hundred of them being of any other ſect; and that they maſſacred, in cold blood, all the Proteſtants, men, women, and children, that fell into their hands, giving no other reaſon for their barbarity, than that the victims were Proteſtants and heretics. The Reports of the Secret Committees of both Parliaments are ſome years publiſhed. The conſpiracy for rebellion, and the dreadful and dangerous mutiny of the Iriſh Romaniſts in the Britiſh Fleet, are fully expoſed in theſe Reports; yet the author of that pamphlet has the confidence to aſſert the loyalty of thoſe Iriſh Romaniſts, and ſay there were none more active in repelling the French invaders under *Humbert*; and that among the men of influence and property

perty engaged in the rebellion, not three Catholics are to be found. But what is the fact?—*Humbert* landed, with one thousand French troops, in a part of the country mostly Romanists, who immediately joined him in a mass, on his first encounter with the King's troops. The greater part of an Irish militia regiment, also Romanists, deserted to him; all the Romanists of influence and property in the adjacent districts joined him. What then could induce the author so lavishly to commend the loyalty of these Romanists? He states, too, that the solitude of British camps and fleets would be frightful indeed if Irish Romanists did not flock to your standard!!! Poor Britain!—Irish Romanists, according to this pamphlet, are your only defenders. Not above one-half the Irish in British fleets and armies are Romanists, and the Protestants of each country would sufficiently man both if Romanists were entirely excluded. Since the mutiny in the fleet the recruiting officers for the marine refused to enlist Romanists. The merit of Romish common soldiers, enlisted for bounty and pay, serving under Protestant officers in our army, nine-tenths Protestants, remote from their native land, and the baleful influence of their priests, is so minute as scarcely to be estimated; and as to the mere spiritual supremacy of the Pope, I have already proved that a vast share of temporal influence and authority is inseparable from spirituals. With respect to the Coronation Oath, by which this pamphlet argues His Majesty is not bound to resist this measure, the argument rests on the clause in the Oath, which binds His Majesty "to govern the people according to the statutes in Parliament agreed on, and the laws and customs of the realm," to which it adds a mutilated extract from the next clause, that His Majesty swears "to maintain the Protestant Religion, established by law," adverting only to the Oath fixed by the 1st of William and Mary, omitting the additions in the 5th of Ann, or the Scotch Union Act. He then concludes, from these garbled premises, that the last clause means only the Protestant Reformed Religion, as from time to time, under the legislation of Parliament, it should be the Church Establishment of the country; and that as to the constitutional interpretation of the clause, it would be extremely absurd and even treasonable to contend that the last clause precludes His Majesty from concurring with both Houses in any Act of Legislation whatever; and even if it did so preclude him, it could be no impediment to his repealing the laws in force against the Irish Romanists, as it could not interfere with the

lawful Church Eſtabliſhment, with any part of the Hierarchy, or with any of its temporal or ſpiritual privileges. But this argument is founded upon the ſophiſm of a fraudulent aſſumption, that Bills pending in Parliament, which may perhaps have paſſed both Houſes, are Acts of Parliament, but concealing the true conſtruction of what an Act of Parliament is, namely, an Act agreed on by the three Eſtates of Legiſlature, King, Lords, and Commons; for no other can be binding on Prince or People. I truſt that ſort of harmony will ever ſubſiſt between the King and his Parliament, that no Bill ever will be offered for his Royal aſſent, more eſpecially a Bill againſt his Coronation Oath, which he ſhall deem it expedient to reject. But I cannot accede to the bold, and indeed abſurd and treaſonable doctrine of ſome writers upon the Conſtitution, who aſſert that the King is bound to aſſent to every Bill paſſed by both Houſes; for this would render the King, in his legiſlative capacity, a mere cypher. For who can aſſert that His Majeſty is bound to give an aſſent in direct violation of his Coronation Oath? I ſhall ever maintain the contrary principle, although I thereby incur the guilt of treaſon, in the opinion of this annotator upon Coke on Littleton; and I leave ſuch doctrines to Romaniſts and the Court of Rome:—'tis no Proteſtant doctrine. William III. in the pureſt æra of the conſtitution, in 1693 and 1695, refuſed his aſſent to two Bills which had paſſed both Houſes, one to diſqualify Members of Parliament from holding Places, and the other for the further Regulation of Elections. The pamphlet inquires, By what caſuiſtry is it rendered ununlawful for His Majeſty to aſſent to a repeal of the ſmall portion of the Penal Laws remaining, after aſſenting to the repeal of all the former? To this I anſwer, That the repeal of the former does not confer any conſiderable portion of political power upon the Romaniſts even in Ireland, and could not, as in the preſent caſe, be productive of conſequences ſubverſive to Church and State, becauſe it does not place within their graſp thoſe offices of the State in which the Executive Power is lodged, unleſs they perform the requiſites of all other His Majeſty's ſubjects. The powers therefore remaining to be ceded, though ſmall in bulk, are great in their importance, and indiſpenſable to the ſecurity of the conſtitution. What commandant of a ſtrong fortreſs, the chief defence of a kingdom, would be juſtified in furrendering it to a cruel, mercileſs, and unrelenting enemy, becauſe it was deemed expedient, for the better defence of the place, to ſlight ſome weak and unimportant outwork, and permit

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the foe to take poſſeſſion of it? "But (ſays the author) all this diſcuſſion is ſuperfluous; for the Coronation Oath was fixed in Ireland, by William and Mary, at a time when Roman Catholic Peers ſat and voted in the Houſe of Lords, and Commoners were eligible to the Houſe of Commons. All civil and military offices were open to them, and they were not deprived of thoſe rights until the 3d and 4th of William and Mary, and the 1ſt and 2d of Ann. Now the Coronation Oath can only refer to the ſyſtem of laws in force when the Act paſſed which preſcribed it: but the Iriſh laws, meant to be repealed, are ſubſequent to that Act; and therefore the Oath cannot refer to thoſe or to any ſimilar Acts." Now, in anſwer to this, I contend, that not only by the 1ſt, 3d, and 4th of William and Mary, but by the 30th of Charles II., the King is bound by his Coronation Oath to maintain, to the utmoſt of his power, the Church, as eſtabliſhed by law in England and Ireland, in the ſame manner as he found it on his acceſſion; and this obligation is ſtill further fortified by the fifth article of the Union between Great Britain and Ireland; nor can I think it creditable to the annotator of Coke upon Littleton thus to attempt ſupporting the cauſe of his party by the quibbles of ſpecial pleading.

I am not ſufficiently converſant with the journals of the Iriſh Houſe of Lords to aſcertain whether Romiſh Peers were or were not excluded from ſeats in that Houſe, previous to the 3d and 4th of William and Mary, unleſs they took the Oath of Supremacy. They certainly were not ſo by any Iriſh Statute: but very few ſuch Peers could have ſat in the Iriſh Parliament from the Reſtoration to the 3d and 4th of William and Mary, excepting the Romiſh mob aſſembled in Dublin by King James II. after his abdication, and by him and themſelves ſtyled a Parliament; for the Romiſh Peerage in Ireland, previous to 1641, was not numerous, as almoſt the whole of them were attainted as traitors, having joined in that wicked Romiſh Rebellion and Maſſacre of the Iriſh Proteſtants in 1641, and the remainder for their rebellion in 1689-90, and-91. But it is a groſs miſſtatement to ſay, that Romaniſts were eligible to ſeats in the Iriſh Houſe of Commons, previous to the 3d and 4th of William and Mary, without taking any oaths whatever, and particularly the Oath of Supremacy;—as by a reſolution of the Iriſh Houſe of Commons in 1642, all Members were obliged to take the Oath of Supremacy or vacate their ſeats; and by another reſolution in 1661, all Members were not only obliged to take that Oath,

but to receive the Sacrament according to the uſage of the Eſtabliſhed Church, or vacate their ſeats. The Author's aſſertion, that all places, civil and military, were open to the Romaniſts in Ireland, previous to the acceſſion of William and Mary, ſmells of the ſame artifice with his former aſſertions, reſpecting ſeats in the Houſe of Commons. It is true that ſuch offices were indeed open to Romaniſts then as they are now, if they performed the acts required of all others His Majeſty's ſubjects, but from their univerſal rejection of which, they diſable themſelves from holding ſuch offices. The author cannot reſort for his authority, to the unlawful, riotous aſſembly convoked at Dublin in 1689, by King James after his abdication, and by him ſtyled a Parliament; they conſiſted entirely of Romaniſts unlawfully elected, after he had deſtroyed all the Proteſtant Corporations, and driven out of the country, or into the Proteſtant armies, all the Proteſtant nobility and gentry,—after he had himſelf ceaſed to be King, and had no authority to convoke a Parliament. Under an Act of William and Mary, this mock Parliament was declared to be an unlawful aſſembly, and all its Acts condemned to the flames, and publicly burnt accordingly.——Having, I truſt, already proved that the doctrines, political, moral, and religious, profeſſed in that Petition, and ſtated to be thoſe of the Roman Catholic Religion, are the very reverſe of thoſe principles taught and inculcated by the Canons, Decrees of General Councils, by *all* writers, lay and cleric, of the greateſt authority amongſt the Romaniſts, and adopted by the *univerſal* practice of their Church from the time of the Lateran Council to the preſent day; and which their modern writers, ſuch as Dr. Troy and Mr. Plowden, aſſert, are the religious principles of Roman Catholics, being unchangeable, and applicable to all times; and that if any one ſays or pretends to inſinuate that the modern Roman Catholics differ in one iota from their anceſtors, he either deceives himſelf or wiſhes to deceive others; and that *ſemper eadem* is emphatically deſcriptive of their religion.

With reſpect to the argument, uſed in the courſe of this debate, relative to the eſtabliſhment of the Roman Catholic Religion in Canada, becauſe it has produced no bad effects there, it is rather premature to form any decided opinion of what effects may hereafter flow from it; beſide, the eſtabliſhment of it there was not a matter of choice but neceſſity, as it was upon the expreſs ſtipulation of that meaſure that Canada ſurrendered to the Britiſh arms; and that the Roman Catholic Religion ſhould be for ever preſerved inviolate there:

there: and Great Britain, ever faithful to her treaties, was thus obliged to the meaſure. Beſide, as to the fidelity of the Canadian Romaniſts, during the American war, it may alſo be accounted for by neceſſity on their ſide.—Shut out from all communication with Europe for ſix months of the year by the freezing of the St. Laurence, Great Britain could during the other ſix months, by a few ſhips on that river, debar them from ſuch communication in caſe of a rebellion, and the Canadians could not ſubſiſt without thoſe European commodities, which they can only obtain through the United States, with great difficulty, intolerable expenſe, and infinite riſk and hazard.

Another argument of the Honourable Member who introduced this motion, is the great number of the Romaniſts in Ireland, whom, in the courſe of his ſpeech, he ſometimes repreſents at four millions, and ſometimes at three millions, without ever once mentioning the Proteſtants; but has endeavoured to impreſs the Members of this Houſe unacquainted with Ireland, that the inhabitants, with a few trifling exceptions, are all Romaniſts. To expoſe, however, the error of the Honourable Gentleman, it is neceſſary to compare the calculations ſucceſſively made upon the population of Ireland. The number of the inhabitants, as calculated in 1692, after the Revolution war, was 1,200,000 only. Another calculation in 1731, as ſtated in the Dominicana Hibernia of Dr. Burke, the Romiſh biſhop of Oſſory, 700,453 Proteſtants, and 1,309,768 Romaniſts, not exceeding the Proteſtants in the proportion of *two* to *one*—and in 1762 the ſame author bitterly complains, that the proportion at that time had greatly increaſed on the Proteſtant ſide. May it not then be fairly deduced that the Romaniſts at this day in Ireland are not in the proportion of two to one to the Proteſtants? From the beſt calculations lately made it appears, that the whole inhabitants of Ireland do not now exceed three millions, of which number it may be fairly reckoned that 1,200,000 are Proteſtants, whom the Honourable Member appears to contemn ſo much that he has not even condeſcended to mention them: from this it will appear that they do not conſtitute above one-eighth of the population of the Britiſh Iſlands—and it is notorious they do not poſſeſs one-fortieth part of the real and perſonal property of that country, nor one-thouſandth part of the property of the United Kingdom. In fact, they compoſe the mob and the beggary of Ireland, and are not of conſequence enough, either in numbers, wealth or power, to demand, as this Petition does,

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the ſubverſion of the Conſtitution in Church and State, and the deſtruction of the Proteſtants of Ireland, for their gratification. The argument that the repreſentative franchiſe ſhould be granted to the Romaniſts, becauſe elective franchiſe is granted to them in Ireland, is ſo far from being an argument for ſuch a grant, founded on the numbers of that ſect, that it is a ſtrong argument for depriving them of the elective franchiſe. It is much ſafer for a Romiſh government, even a popular one, to admit Proteſtants to places of truſt and power, than for a Proteſtant State to admit Romaniſts; becauſe Proteſtants hold no point of faith hoſtile to the independence of the State under which they live:—Romaniſts do; and to give them political power would be furniſhing them with the means of overturning the Conſtitution. The indigent mob in any country, as *they* are in Ireland, ought not to be gratified at the expenſe of ruin to the loyal, opulent and reputable part of the State—for, if ſo, we ſhould have agrarian laws and equality adopted in every State; becauſe the indigent in every ſtate compoſe the bulk of the population, and are deſirous of degrading and plundering the great and the rich in every ſtate, as well as in Ireland. To ſum up all the arguments againſt this meaſure: The laws which enjoin the Oath of Supremacy are not reſtrictive nor excluſive laws, in reſpect to any claſs of people in the community, except traitors; becauſe it is merely an Oath of Allegiance to the State, and no ſubject refuſing it ſhould be admitted to the functions of a Legiſlator, or any place of truſt or power in the State. It would be a ſubverſion of the Conſtitution in Church and State, and let in an univerſal deluge of Atheiſm, Infidelity, Democracy, and Anarchy. It would be to admit the juſtice of the Pope's claim to the ſupremacy of the Church in theſe realms. It would be to violate the conditions of the two Unions, with Scotland and with Ireland. It would be to violate the King's Coronation Oath. It cannot, therefore, be ſuppoſed His Majeſty will ever agree to it. The tendering a bill to him for ſuch a purpoſe, would be an inſult to him:—and for all theſe reaſons I give my hearty negative to the motion.

Mr. GRATTAN.—"Sir; in offering to the House my sentiments on this most important subject, I shall endeavour to avoid the example set me by the Learned Member who has just sat down. I shall deprecate all animosity on the one side or on the other. As the causes have ceased, I think all animosity arising out of those causes should also cease; and instead, therefore, of calumniating either party, I rise to defend both. I do not wish to revive in detail the memory of those Rebellions to which the Learned Member has alluded. The past troubles of Ireland; the Rebellion of 1641, and the Civil Wars which followed—I do not wholly forget; but I remember them only to deprecate the example and renounce the animosity. The Penal Code, which preceded and followed those times, I remember also, but only enough to know that the cause and reasons for that Code have totally expired; and as on the one side the Protestant should relinquish his animosity on account of the Rebellions, so the Catholics should relinquish their animosity on account of the Laws: and I do not hesitate to declare, that the man who attempts to keep alive these animosities in Ireland, is the worst enemy of that country, and the deluded ally of France, or any other power that wages war against this.

"The question for your consideration this night, is not as stated by the Learned Member. It is not merely whether you will now privilege or still keep disqualified a few Roman Catholic Gentlemen, for seats in Parliament, or certain offices in the State? but it is, whether you will impart to a fifth portion of the population in your European Empire, a community in that which is the vital principle of your Constitution and your strength, and thus confirm the integrity and augment the power of your Empire; or whether you will still keep in a state of languor and neutrality, so great a portion of your People? This is really the question before you. Depend on it that this question is to Ireland highly important:—to you—every thing: and before you

will impose on yourselves such a sentence as that recommended by the Learned Doctor, you will require I think better arguments than those he has advanced. For, according to him, you would reject this claim, without even the decency of deliberation. The Catholics ask of you equal advantages with their Protestant fellow subjects; but no, says the Learned Doctor, their request must not be granted. According to him, they are an execrable Race: his arguments make a distinction between the People of Ireland on the score of Religion, which I contend is fallacious. The Learned Doctor has substantially told you that the Irish Catholic Church, which is more independent than the Catholic Church here, is the worst in Europe; that the Irish Catholics, our own kindred, conforming to our own terms, are the worst of Papists; that the distinction,—a distinction made by the Law, and propounded by ourselves, and essential to the State,—between temporal and spiritual power, is a vain discrimination—and that the People of Ireland to be *good* Catholics must be *bad* subjects!—and finally, he has emphatically said, "that the Irish Catholic never is—never was—or ever will be a faithful subject to a British Protestant King"—and that they hate all Protestants and all Englishmen. Thus has he pronounced against his Countrymen three Curses:—Eternal War with each other—Eternal War with England—and eternal Peace with France!—*(loud applauses.)* The speech of the Learned Doctor on which this assertion is maintained so strongly inculcates the doctrine, that if a Catholic Printer were to publish it in a time of Invasion, that Printer might be indicted for High Treason, as the publisher of a composition that would administer to the Catholics a stimulus for insurrection, and advance the authority of their Religion to justify Rebellion. If the Learned Doctor were to be answered by examples, I could refer him to an extensive branch of Irish Catholics, whose public conduct forms a strong contrast to the opinions he imputes. I could answer him most effectually by reference

reference to the whole of their conduct,—I could answer him by their allegiance—nay, more, I could answer him by the conduct of their Censors in their private families: by the latter reference could I show that the private conduct of those Censors directly contrasts their public Doctrine. But I prefer following his own arguments. The Learned Doctor's attack consists of four Parts: First, Invective Calumny uttered against the Religion of the Catholics. Secondly—Invective uttered against the *present* Generation. Thirdly, Invective against the *past*; and Fourthly, Invective against the *future*.—Here the limits of Creation interposed, and stopped the Learned Member. It is to defend those different Generations and their Religion that I now rise; to rescue the Catholic from his attack—and the Protestant from his Defence.—*(Much laughter and applause)*—I do not conceive, however, that I have a very difficult task to encounter; for the Learned Doctor has left me little to do, having in most instances answered himself, and refuted his own assertions. Sir, I profess to know but little on many of those subjects about which the Honourable Doctor may and ought to be very learned; and perhaps if I did, it would not be very grateful to the House that I should indulge much in them. I shall not therefore enter into very minute discussion upon his doctrinal points—but confine myself principally to his general heads, in which I differ in opinion from him most decidedly. Before I proceed further I shall lay down a principle as the basis of my arguments, and which I trust I shall substantiate to the satisfaction of this House. The principle which I do most decidedly hold is, that the Catholic Religion, abstracted from the *Court of Rome*, implies not the slightest tenet irreconcilable with the strictest loyalty to a Protestant Government, and therefore can impose no sentiment upon the Irish Catholic hostile to his allegiance to the Government of Great Britain—but quite the contrary: that the Irish Catholic may be therefore as good a Subject of the King, and as much attached

to His Majesty, as any Protestant inhabitant of Middlesex. This assertion is founded upon my knowledge of the principles of the Catholic religion. That religion does not, I know, profess or hold such maxims as the Learned Doctor has ascribed. It is not founded upon the decrees of Popes—nor is it to be judged by their conduct. I can show by reference to its most respectable authorities that ever have appeared, that none of those tenets attributed to Catholics by the Learned Doctor, and those who think with him, ever formed any part of the Catholic belief.

"The civil interference of the Pope, his assumed power of despotism, together with the supposed doctrine, that no faith is to be kept with heretics, are the great objections urged to the claims of the Catholics. To convict them on those points, the Learned Doctor has gone forth with a sinister zeal to collect materials for his purpose; and behold he returns with much of disputed comment—much of doubtful test—much of executive decrees and of such other things, now become obsolete because useless, and little noticed because very dull and very uninteresting; and wherein the Learned Gentleman may, for these reasons, take many little liberties in the way of misquotation or convenient suppression. All these, the fruits of his unprofitable industry, he has laid before you:—very *kindly* and *liberally* he does it:—but of this huge and tremendous collection you must reject a principal part, as totally irrelevant to the question; namely, all that matter which belongs to the Court of Rome, as distinct from the Church; 2dly, of the remnant after that rejection, you must remove every thing that belongs to the Church of Rome which is not doctrinal, and which is not confined to doctrine regarding faith and moral, exclusive of, and unmixed with, any temporal matter whatever. After this correction, you will have reduced this Learned Doctor of the fifteenth century to two miserable canons,—the only rewards of his labour, and results of his toil, both decreed centuries before the

Reformation, and therefore not bearing on the Protestant or the Reformers. The first is a canon excommunicating persons who do not abide by a profession of faith contained in a preceding canon, which *notably* concludes with the following observation,—that virgins and married women may make themselves agreeable to God! Now I cannot think such a canon ought to excite any grave impression or alarm in this House, passed six hundred years ago, three hundred years before the birth of the reformation, made by lay princes as well as ecclesiastics, and never acknowledged or noticed in these islands, even in times of their popery. The other canon, that of Constance, goes to deny the force of a free passport or safe-conduct to Heretics, given by temporal Princes in bar of the proceedings of the Church: and on this the Learned Doctor founds his deduction, that no faith is to be kept with Heretics. Without going further into that canon, 'tis sufficient to say, that it is positively affirmed by the Catholics, that this does not go further than to assert the power of the Church to inquire into heresy, notwithstanding any impediments from lay princes; and, further against the Learned Doctor, there is an authority for that interpretation, in contradiction to his interpretation, not merely above his authority, but any that it is in his studies to produce: I mean that of Grotius, who mentions, that the imputation cast upon the Catholics, on account of that canon, is unfounded. Here I stop, and submit that the member is in the state of a plaintiff, who cannot make out his case, notwithstanding his two canons; that he has failed most egregiously, and has no right to throw the other party on their defence. However, the Catholics have gone, as far as relates to him, gratuitously into their case; they have not availed themselves of the imbecility of their opponents; and they have been enabled to produce on the subject of the above charges, the opinions of six universities, to whom those charges, in the shape of queries, have been submitted: Paris, Louvaine, Salamanca, Douay,

Douay, Valladolid, Alcala. The universities have all answered, and have, in their answers, not only disclaimed the imputed doctrines, but disclaimed them with abhorrence. Can you then, an Imperial Parliament, suffer yourselves to be influenced by such chimeras? Can you doubt, after all the experience you have had, that the Catholics are cordially and sincerely and personally attached to your Sovereign? that they are ready to go forth with you and meet the common enemy? Will you then discard them as unworthy of your confidence? Will you in the present circumstances of your Empire, in the present state of human knowledge, have it told that you are irreconcilably averse to three millions of your people on account of their religion? that, merely for a difference in speculative opinions, you will cast away one fifth of your whole population and physical resource—and all this because the Catholics are charged with believing in the Pope's dispensing power in political affairs—and other opinions equally absurd—and equally abjured and refuted? What methods are the Catholics to take, for satisfying you they do not entertain the principles and opinions imputed to them by their enemies? They have not only given you the authorities of their most respectable universities—but they have gone further; they have drawn up and subscribed a Declaration of nine articles, solemnly renouncing the imputed doctrines, and abjuring all claims to Protestant property and to the property of the Church in form and principle. They have gone still further yet—they have desired the Protestants to name their own terms of abjuration.—The Protestants have done so,—and here is the instrument of their compact—it is an Oath framed by a Protestant Parliament, principally manufactured by the Hon. Doctor himself, in which the Irish Catholics not only abjure the imputed doctrine, but are sworn to the state and to the present establishment of the Protestant Church in Ireland, and to the present state of Protestant Property: this Oath has been

universally

universally taken, both by laity and clergy, (for the Learned Doctor was mistaken when he said the latter did not subscribe it,) and by this Oath both parties are concluded; the Catholics from resorting to the abjured doctrines, and the Protestants from resorting to the abjured charge. Did the Learned Doctor shape this test merely in order that the Catholic might perjure himself? Was it to work no good, to rectify nothing that was wrong, but merely to enable the Learned Doctor to say to the Catholics, taking this test, 'Hitherto you have been only traitors, but now you are perjured,' and sending them more readily to the devil? If there be any consistency in his argument—such must be the necessary result of his doctrine; and therefore I contend that the Learned Gentleman is answered by his own test. When the Member imputes, as he has done, to the Catholic, the principles thereby abjured, it is not the Catholic who breaks faith with him, but it is he who breaks faith with the Catholic. He acts in violation of the instrument he himself formed, and is put down by his own authority. But the Catholics have not only *thus* obtained a special acquittal from the charges made against them in this debate; they have obtained a general acquittal also.

"The most powerful of their opponents, the late Earl of Clare, writes as follows: 'They who adhere to the church of Rome are good Catholics, they who adhere to the court of Rome are traitors;' and he quotes Lord Somers as his authority, in which he entirely acquiesces, and acknowledges their innocence in their adherence to the *church* of Rome as distinct from the *court*. Very well: a test, such I have already mentioned, is formed by a Protestant Doctor, abjuring the doctrine of the court of Rome, and reducing their religion to the church of Rome, by which this people become Catholics and cease to be Papists. This test, together with a number of other articles, is reduced to an Oath, and this Oath is introduced into an Act of Parliament, and is taken universally.

universally. Here again are the opponents to the Catholic concluded by their own concessions—by tendering an Oath to Catholics, they allow an Oath to be a test of sincerity; by framing that Oath under the circumstances, they make it a test of pure Catholicism; and while they continue to visit upon the Catholics crimes with which they were charged before this change, by their own argument they pronounce pure Catholicism to be innoxious. But the Honourable Member has gone a little further than to pronounce the innocence of the Catholics; he has pronounced the mischievous consequences of the laws that proscribe them; he has said in so many words, that an Irish Catholic never is, and never will be, faithful to a British Protestant King; he does not say *every* Catholic, for then he would include the *English* Catholics and those of *Canada*; nor does he say every *Irishman* must hate the King, for then he would include every *Protestant* in Ireland: the cause of the hatred is not then in the religion nor in the soil; it must be therefore in the laws —in something which the Protestant does not experience in Ireland, nor the Catholics in any country but in Ireland—that is to say, in the Penal Code: that Code then, according to him, has made the Catholics enemies to the King: thus has he acquitted the Catholics and convicted the Code. This is not extraordinary; it is the natural progress of a blind and a great polemic: such characters,—they begin with a fatal candour, and then precipitate to a fatal extravagance; and are at once undermined by their candour, and exposed by their extravagance: so with the Learned Member—he hurries on, he knows not where, utters he cares not what, equally negligent of the grounds of his assertions and their necessary inferences.—Thus,—when he thinks he is establishing his errors, unconsciously and unintentionally he promulgates truth; or rather, in the very tempest of his speech, Providence seems to govern his lips so that they shall prove false to his purposes, and testify to his refutation. Interpret the gentleman literally,—

literally,—what blasphemy has he uttered! He has said, that the Catholic Religion, abstracted as it is at present in Ireland from Popery, and reduced, as it is, to mere Catholicism, is so inconsistent with the duties of morality and allegiance as to be a very great evil. Now, that Religion is the Christianity of two-thirds of all Christendom; it follows then, according to the Learned Doctor, that the Christian Religion is in general a curse: he has added that his own countrymen are not only depraved by Religion, but rendered perverse by Nativity; that is to say, according to him, blasted by their Creator, and damned by their Redeemer. In order, therefore, to restore the Learned Member to the character of a Christian, we must renounce him as an advocate, and acknowledge that he has acquitted the Catholics whom he meant to condemn, and convicted the laws which he meant to defend. But though the truth may be eviscerated from the whole of the Member's statement, it is not to be discerned in the particular parts, and therefore it is not sufficient to refute his arguments; 'tis necessary to controvert his parts. The Catholics of Ireland, he says, hate the Protestants, hate the English, and hate the King. I must protest against the existence of any truth of this position: the laws, violent as they were, mitigated as for the last seventeen years they have been,—the people better than the laws,—never could have produced that mischief. Against such a position I appeal to the conscious persuasion of every Irishman. We will put it to an issue:—I appeal to those Members of this House who, as English Secretaries, have resided in that country, whether they ever found in the Irish of any Sect an aversion to Englishmen? To one Lord Lieutenant of Ireland,—an Englishman and a Representative of English Government,—I am sure I could appeal, whether the Irish did not approve his Government and love his person? (Earl Fitzwilliam.)—and to another English Nobleman now at the head of that Government—I ask the Learned Doctor whether the Irish hate him?

If any man were to say in Ireland, that Nobleman is not loved and venerated by the People, he would be laughed at. If I could believe this position, what could I think of the Protestant ascendancy? and what must I think of the British connexion and Government, who have been for six hundred years in possession of the country, with no other effect, according to this logic, than to make its inhabitants abhor you and your Generation? But this position contains something more than a departure. I call upon the Learned Doctor to state in what county of Ireland it is that neither a Protestant nor an Englishman can live in safety? or that one cannot exist in harmony with the other? Will the Representative of Clare or Kerry, or any other county, tell me, that the people of Ireland do not equally love the men, no matter of what religion, who use them well? But this position contains something more than a departure from fact: it says, Strike, France! strike, Spain!—for the great body of the Irish are with you; it does much more, it attempts to give them a provocation; it teaches you to hate them, and them to think so; and thus falsehood takes its chance of generating into a fatal and treasonable truth. The Honourable Gentleman having misrepresented the present Generation, mistates the conduct of their Ancestors, and sets forth the past Rebellions as proceeding entirely from Religion. I will follow him to those Rebellions, and show, beyond his power of contradiction, that Religion *was not*, and that Proscription *was*, the leading cause of those Rebellions. The Rebellion of 1641,—or let me be controverted by any historian of authority,—did *not* proceed from Religion; it *did* proceed from the extermination of the inhabitants of eight counties in Ulster, and from the foreign and bigoted Education of the Catholic Clergy, and not from Religion. The Rebellion of the Pale--for it was totally distinct in period or cause from the other—did not proceed from Religion; the causes resembled your Petition of Right, except that they embraced articles for the security

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of property, disarmament of the Catholics, expulsion of them, in that disarmed state, from Dublin: many other causes; orders for the execution of certain Priests.—You will not forget there was an order to banish their Priests in James the First's time, and to shut up their Chapels in Charles the First's; these were the causes: there was another cause—you were in Rebellion; Scotland was in Rebellion: there was another cause—the Irish Government was in Rebellion; they had taken their part with the Republicans, and wished to draw into treason the Irish Freeholders, in order that, with the forfeiture of another's, one Rebellion might supply their own. I go back with concern to these times, I see much blood,—no glory; but I have the consolation to find, that the causes were not lodged in the Religion or the Soil, and that all of them, but the Proscription cause, have vanished. I follow the Learned Member to another Rebellion, the which should properly be called a Civil War, not a Rebellion; it proceeded from a combination of causes which exist no longer, and one of those causes was the abdicating King at the head of the Catholics; and another cause was the violent Proscription carried on against the Catholics by the opposite and then prevailing party; these causes are now no more, or will the Member say there is now an abdicating Prince, or now a Popish Plot, or now a Pretender? There are causes most certainly sufficient to alarm you; but very different, and such as can only be combated by a conviction, that as destinies are now disposed of, it is not the power of the Catholics which can destroy, or the exclusion of the Catholics that can save you. The conclusion I draw from the history to which I allude is very different from that drawn by the Member, and far more healing; conclusions to show the evils arising from Foreign Connexions on one side, and from domestic Proscription on the other. If all the blood shed on those occasions, if the many fights in the first, and the signal battles in the second period, and the consequences of those bat-

ties to the defeated and to the triumphant,—to the slave that fled, and the slave that followed,—shall teach our Country the wisdom of conciliation, I congratulate her on those deluges of blood. If not, and that they have flowed in vain, I submit;—and I lament her fate, and deplore that perverse understanding, which would render not only the blessings of Providence, but its visitations, fruitless, and transmit that which was the curse of our fathers, as an inheritance to their posterity.

"The Learned Gentleman proceeds to mistate a period of one hundred years; namely, the century that followed the Revolution, and this he makes a period of open or concealed Rebellions; the sources of his darkness and misinformation are to be found in History and Revelation: of his charges against that period he brings no proof: none of those on the same side with him can bring any—they heard from such a one, who heard from such a one. I neither believe them nor such a one; and I desire that so many generations may not be convicted on evidence which would not be admitted against the vilest caitiff, and *that* against evidence by which that vilest caitiff would be acquitted,—against the authority of dispatches from successive chief Governors and of four Acts of Parliament—the Act of 1778, which declares their loyalty for a long series of years, that of 1782, that of 1792, that of 1793, and further, against the declared sense of Government, who in the year 1762 proposed to raise four Catholic regiments, because the Catholics had proved their allegiance; against the authority of the then Irish Primate who supported that measure; and in his speech on that subject assigns as his reason, that after his perusal of Mr. Murray's papers, nothing appeared against the Irish Catholics of any connexion whatsoever with the Rebellion of that period. The Learned Member then proceeds to the Rebellion of 1798, and this he charges to the Catholics; and against his charge I appeal to the Report of the Committee of the Irish House of Commons in 1797, in which it sets forth the rebel muster,

muster, containing 99000 northerns enrolled in Rebellion, and all the northern counties organized. At the time in which the Committee of the House of Commons states the Rebellion of the North, the dispatches of Government acknowledged the steady allegiance of the South, which is the Catholic part; to those dispatches I appeal, written at the time of Hoche's projected Invasion, and applauding the attachment and loyalty of the Southern Counties, and their exertions to assist the army on its march to Cork, to oppose the landing of the French. If you ask how the Rebellion spread and involved the Catholics, I will answer, and tell you, they followed the example of Protestants; and that as long as the Proscriptive System continues, and your Church a *Malus Animus*, there will be in our Country a staminal weakness, rendering the distempers to which society is obnoxious, not only dangerous but deadly; every epidemic disease will bring the chronic distemper into action. Even the grape-stone in the hand of Death strikes with the force of a thunderbolt. If you have any apprehension on this account, the error is to be found in yourselves, in human policy, not in Religion,—in the fallibility of Man, not of God. If you wish to strip Rebellion of its hopes, and France of her expectations, reform that policy; you will gain a victory over the enemy, when you gain a conquest over yourselves. But I will for a moment accede to the Member's statement against facts and history; what is his inference?—During one hundred years of the proscriptive system, the State has been in imminent danger; therefore, adds he, continue the system; here is the regimen under which you have declined—persevere: but the Learned Member proceeds to observe, that you cannot hope to reconcile whom you cannot hope to satisfy; that the Catholics will be loyal only under Restriction, and rebellious under Concession; and he instances the repeal of the Penal Code. I deny the instances and the inference; the repeal in 1778 and 1782 did recon-

cile and did satisfy: accordingly you will find, that the Irish Catholics in 1779 and 1780, 1781 and 1782, were active and unanimous to repel the Invasion threatened at that time, when the French rode triumphant in the Channel, and Ireland was abandoned to the care of 6,000 regulars, and was only defended from Invasion by the spirit and loyalty of the Catholics, in harmony and in arms with their Protestant brethren. The repeal of a principal part of the Penal Code in 1793 did not reconcile and did not satisfy; it was, because the Irish Government of that time was an enemy to the Repeal and to the Catholics, and prevented the good effects of that measure. That Government, in the summer of 1792, had sent instructions, (I know the fact to be so,) to the Grand Juries, to enter into Resolutions against the claims of the Catholics. Their leading Minister opposed himself at one of the County Meetings, and took a memorable post of hostility and publicity. When the Petition of the Catholics was recommended in the King's Speech of 1793, one of the wisest ever made from the throne, I remember Ministers at first took no notice of that recommendation—and that I had the honour of moving that clause in the Address which refers to that passage in the Speech; but the Irish Minister answered the King, and with unmeasured severity attacked the Petitioners. When the Bill, introduced in consequence of His Majesty's recommendation, was in progress, the same Minister with as unmeasured severity attacked the Bill, and repeated his severity against the Catholics, who, it was said, so long as they adhered to their religious opinions, never could be loyal—but would ever hate His Majesty and the Government. The Catholics, in this instance, obtained from the English Ministry what they failed to obtain from their own Government. The fact was, that the Irish Government was then engaged in party contests, from which the English was free—so that the Irish Catholics found the hostility from Government worse than from the Law. When the

same

same bill of reconciliation, in consequence of the recommendation and reference of the Petition, was in its passage, the Irish Government attempted to hang the leading men among the petitioners; and accordingly Mr. Bird and Mr. Hamil were, by their orders, indicted for a capital offence. I think it was Defenderism; and so little ground was there for the charge, that those men were triumphantly acquitted, and the witnesses of the Crown so flagrantly perjured, that the Judge, I have heard, recommended a prosecution. These were the causes why the repeal of 1793 did not satisfy; and, in addition to these, because the Irish Government took care that the Catholics should receive no benefit, therefore opposing these with their known partisans and dependants in the Corporation of Dublin, when they sought for the freedom of the city, seldom giving any office (there are very few instances in which they got a more deadly and more active enemy than before they had experienced in the Law). I refer to the Speeches delivered and published at the time by the Ministers and Servants of the Irish Government, and persisted in, and delivered since; and there you will see an attack on all the proceedings of the Irish, from the time of their Addresses for free trade, such as were glorious, as well as those that were intemperate, without discrimination or moderation; there you will see the Irish Ministry engaged in a wretched squabble with the Catholic Committee, and that Catholic Committee replying on that Ministry, and degrading it more than it had degraded itself; and you will further perceive the Members of that Ministry urging their charges against the Members of that Committee, to disqualify other Catholics who were not of the Committee, but who opposed it;—so that by their measures against the one part of the Catholics, and their invective against the other, they take care to alienate, as far as in them lay, the whole body. The fact is, the project of conciliation in 1793, recommended in the Speech from the Throne, was defeated by the Irish Cabinet, which

was

was at that time on that subject in opposition; and being incensed at the British Cabinet for the countenance afforded to the Catholics, punished the latter, and sowed those seeds which afterwards, in conjunction with other causes, produced the Rebellion.

"I have now gone through so much of the argument as affects the past and the present, and as connected with the question: with regard to the future, you must consider that you are now repealing the Penal Code that has subsisted for hundreds of years, and the habits that have grown up with it. But let us not deceive ourselves, or others, by promises over sanguine or expectations too eager for immediate and complete effect from the repeal of this code. You cannot at once remove habits of such long standing: the operation, however, like the progress of the plough, though slow and silent, will be certain and effectual; will gradually produce the full harvest it promises, and stop the mouth of clamour with its own words.

" I now leave the Learned Member, and proceed to discuss the differences remaining that discriminate His Majesty's subjects of the Protestant and Catholic persuasion. I consider the Catholic religion, abstracted from the *Court* of Rome, a practicable religion with regard to public safety. I cannot suppose there is any thing in the climate of the country, or the physical constitution of its inhabitants, by which an Irish Roman Catholic *must* be of necessity disloyal; unless, as the Learned Doctor seems to think, the Roman Catholics are cursed by the Book of Revelations—by the Father and by the Mother.—No—a bad system of policy is the source of those faults ascribed to the Catholics. Man is fallible—God is not. If I see a man healthy upon a certain diet, I presume the same regimen will agree equally well with another. So, the same policy which made you a great people will do the same for Ireland. It has been said that their request, if granted, would only give the Catholics a few seats in this House and access to a few places. But this is every thing to the Catholics: it gives them an equality of right; it gives

gives them the whole Parliament of 658 Members—by thus creating a common interest with every Member of this House—for the force of each part constitutes the force of the whole body.

"Before we consider how far we differ, it is necessary to examine how far we agree; we acknowledge the same God, the same Redeemer, the same consequences of redemption, the same Bible, and the same Testament. Agreeing in these, we cannot, as far as respects religion, quarrel about the remainder; because their merits as Christians must, in our opinion, outweigh their demerits as Catholics, and reduce our religious distinctions to a difference about the Eucharist, the Mass, and the Virgin Mary; matters which may form a difference of opinion, but not a division of interests. The infidel, under these circumstances, would consider us as the same religionists,—just as the French would consider you, and cut you down as the same community. See whether we are not agreed a little further, and united by statute as well as religion: the preambles of three acts declare the Catholics to be loyal subjects; the act of 1778 declares that they have been so for a series of years; the same act declares that they should be admitted into the blessings of the constitution: the act of 1793 goes further, and admits them into a participation of those blessings.—Oh but then they are not to have political power!—And yet, surely, civil rights imply political power. Thus is the principle of identification between the two sects established by the law of the land, and thus are the Catholics by that law proclaimed to be innocent, the calumniators of the Catholics guilty, and the restrictions condemned. Let us consider their situation under these laws: Professedly and in principle admitted to every thing, except seats in Parliament, and certain offices of state; they are in fact excluded from every thing, under the circumstances of praying for every thing:

the few places they enjoy make no exception. But if, after granting so much, we quarrel here, we must be guilty of the greatest imprudence—they pay their proportion to the navy, and contribute one-third to its numbers, and have not a commission ; they contribute to the expenses of the army, and to one-third of its numbers, and have not a commission : if you injure these, the Catholic part of your army and navy, you injure yourselves, and you do a great injury to the Catholic understanding, by preventing that growth and expansion of intellect and talent which the temptation of attaining the highest station in either must create. By the distinction you place him under a great disadvantage, and subject him to insult from his inferiors in merit. You also do an injury to morals, by laying a foundation for hatred and jealousy between individuals of the same community. You do an injury to the peace of the country by persecution, and encouraging the little man of blood to raise himself into power and consequence by harassing and vexing his countrymen. And shall I now be asked, How are the Catholics affected by this ? or be told that the Catholic body would not be served by the removal of this? But I ask, How would the Protestant body be affected, if only removed from the state, the parliament, the navy, and the army ? In addition to this, I am to add the many minor injuries done to the Catholics, in ways that must be felt, and cannot be calculated : the inestimable injury done to the Catholic mind, by precluding it from the objects of ambition, and to the Catholic spirit, by exposing it to taunts and insults, you cannot be at a loss for ; as, for instance, such as are uttered by the vilest of the Protestants against the first of the Catholics. I am to add the mischief done to the morals of the country, by setting up a false standard of merit, by which men without religion, moral or political integrity, shall

obtain,

obtain, by an abhorrence of their fellow subjects, credit and consequence, and acquire an impunity for selling the whole community, because they detest a part of it. You see it is impossible for any one part of society to afflict the other, without paying the penalty and feeling the consequences of its own policy in the re-action of its own bad passions on itself. I am to add the mischief done to the peace of the country, when the spirit of religious discord descends to the lower order of the people, and the holiday becomes a riot; and when the petty magistrate turns chapman and dealer in politics, turns theologian and robber, makes for himself a situation in the country, formed out of the monstrous lies he tells of his Catholic neighbours, fabricates false panics of insurrection and invasion—then walks forth the man of blood. His creditors tremble; the French do not; and atrocities which he dares not commit in his own name, he perpetrates for the honour of his King, and in the name of his Maker. I have heard of the incivilization of Ireland; too much has been said on that subject: I deny the fact; a country exporting above five millions, even at your official value, near above half a million of corn, three millions of linen, paying eight millions to the state, cannot be barbarous; a nation connected with you for six hundred years! What do you say? Can it be barbarous? If France should say so, you should for your own sakes contradict her; because it is not on Ireland, but on you, the reflection must fall. If any thing, however, delays the perfect and extensive civilization of Ireland, it is principally her religious animosity: examine all the causes of human misery, the tragic machinery of the globe, and the instruments of civil rage and domestic murder, and you find no dæmonism like it, because it privileges all the rest, and amalgamates with infidelity as well as murder; and conscience, which restrains other vices, becomes a prompter here.

To restrain this waste and this conquest exercised over your understanding, your morals, and your fortune, my Honourable Friend makes his motion*.

" Come, let us hear the objections. The Catholics, they say, should not have political power: why, they have it already; they got it when you gave them landed property, and they got it when you gave them the elective franchise—" Be it enacted that the Catholics shall be capable of holding all offices, (civil and military except,)" and then the act excludes a certain numeration. This is the Act of 1793—and is not this political power allowed by Act of Parliament? So that the objection goes not so much against the Petition as against the Law, and the Law is the answer to it. The reasons they give for objecting to the Law are, 1st, That the Catholics do not acknowledge the King to be the head of their Church. To require that a person of the Catholic faith should acknowledge a lay person of another religion who makes no very encouraging declarations towards them, to be the head of the Catholic Church, is going very far; but to make the withholding such acknowledgment the test of disaffection, is much further; further than reason, and further than the law, which does not require such test, but is satisfied with a negative Oath; and therefore the Presbyterian who makes no such acknowledgment may sit in Parliament; so that here the objector is answered again by the law, and the reason he gives in opposition to the law shows that the Legislature is wiser than he is. The reason alleged is, that he who allows His Majesty to be the head of his Church has more allegiance, because he acknowledges the King in more capacities: according to this, the Turk has more allegiance than

* The present Lord Lieutenant of Ireland has done much to reconcile, but his mild integrity and good sense must be aided by Parliament.

either,

either, for he acknowledges the Grand Seignor in all capacities; and the Englishman has less allegiance than any other subject in Europe, because, whereas other European subjects acknowledge their King in a legislative as well as an executive capacity, the English acknowledge their King in the latter capacity only. But such men know not how to estimate allegiance, which is not measured by the powers which you allow, but by the privileges which you keep: thus, your allegiance is of a higher order, because it is rendered for the proud circumstances belonging to an Englishman—to the Peer who has his rank, the Commoner who has his privileges, and the Peasant who has Magna Charta. The Catholic, too, he has an interest in his allegiance—increase that interest, that is, increase this privilege, you increase the force of the obligation, and with it your own security. But here again the objector interposes, and alleges that the Catholic does not only not acknowledge the King to be the head of their Church, but acknowledges a foreign power: —Whom? I cannot find him. There *was* indeed a power which you set up in the last war and guarded with your troops—is that the memory at which Gentlemen tremble?—a sort of president or chair, in whose name the business of the Catholic Church is conducted, *for* whom *no* Catholic would fight, and *against* whom the *Irish* Catholic *would* fight, if he came into their Country at the head of an invading army!—They have said so.—You will recollect how little you yourselves feared that name, when you encompassed and preserved it at the very time of the Irish Rebellion; and now do Gentlemen set it up and bring it back again into the world as a principle to influence the action of the Irish? But then I have received an answer to this, and that Bonaparte has gotten possession of the power and person of the Pope. What power? He had no power before his captivity,

captivity, and therefore he became a captive; he has not found his power in his captivity, or will you say that he could now disband an Austrian army or an Irish army,—or that, if he were to issue out his excommunications, your seamen and soldiers would desert? Such the power of the Pope—such your fear of it—and such is the force of their argument. What is the policy of it? Bonaparte has gotten the Pope—give him the Catholics. But here the objector interposes again, and tells us, it is in vain to look for harmony with the Catholics, inasmuch as they deliver us, the Protestants, as Heretics, to damnation; gravely they say this; soberly they say this in a morning. And according to this, you must not only repeal your Laws of Toleration, but you must disband part of your army and your navy, and disqualify your electors. The Catholic who hears this produces a Protestant Creed, which does the same thing, and damns his sect likewise; the Infidel, who listens, agrees with both, and triumphs, and suggests that it were better not to cast off your People, but to shake off your Religion. So Volney makes all sects contend, and all conquer, and Religion the common victim. The truth is, exclusive Salvation was the common phrensy of all sects, and is the Religion of none, and is now not rejected by all, but laughed at. So burning one another as well as damning one another, you can produce instances —they can produce instances. I might appeal to Archbishop Usher, whether the Protestants have not in their turn thought hardly of their neighbours? But if you go on thus, the Protestants collecting every thing that can be said against the Catholics, and the Catholics every thing that can be said against the Protestants; you argue against the Majesty of the Law, of Justice, and of Heaven. It was the habit of the early Christians to anathematize all sects but their own. No Religion can stand, if men, without

without regard to their God, and with regard only to controversy, shall tear up the foundation of their Faith to pelt each other with the fragments, shall rake out of the rubbish of antiquity the obsolete and quaint follies of the Sectarians, and affront the Majesty of the Almighty with the impudent catalogue of their devices: and it is a strong argument against the Proscriptive System, that it helps to continue this shocking contest; theologian against theologian, polemic against polemic, until the two madmen defame their common parent, and expose their common religion. With arguments such as these it is urged, that the laws were in error which gave the Catholic political power; and it is further added that he will use that political power to destroy the Church. I do not think they have now said, He will destroy the present state of property—Bigotry has retired from that post, and has found out at last that the Catholics cannot repeal the Act of Settlement in Ireland, by which the property of the Country was ascertained, until they become the Parliament; nor become the Parliament, till they get the landed property of the Country; and when they get that property, they will not pass an Act to set aside their titles. Further, it is now understood that the Protestant title is by time; that there are few old Catholic proprietors, a multitude of new ones; that the Catholic tenantry hold under Protestant title; and therefore that there is, in support of the present state of property in Ireland, not only the strength of the Protestant interest, but the physical force of the Catholics. Therefore the objectors have judiciously retired from that ground, and now object to Catholic power, as certain to destroy the Protestant Church. How? They must do it by act of legislation, or by act of force: by act of legislation they cannot, and by force they will not: they will not by act of force, because the measures proposed,

proposed, which do not go to increase that force, do go decisively to remove the animosity. Or will you say, when you give them every temporal motive to allegiance, they will become rebels? that when, indeed they had rights of religion, rights of property, rights of election, they were loyal; but when you gratified their ambition likewise, then they became disaffected, and ready to sacrifice all their temporal rights and political gratifications? In order to do what? To get a larger income for their clergy; that is, that their bishops should drink more claret and wear finer clothes: and with whose assistance should they do this? With the aid of the French, who starve their clergy. The ordinary principles of action, the human motives that direct other men, according to these reasoners, are not to be found in the Catholic; Nature is in him reversed; he is not influenced by the love of family, of property, of privilege, of power, or any human passions, according to his antagonists, any more than his antagonists are influenced by human reason, and therefore it is that these reasoners, who deal mostly in the prophetic strain, deal with a prophet's fury and his blindness; with much zeal, and no religion. I would ask then, what authority have they for thus introducing the Church as an obstacle to the advantages of the State? Is it political, or is it moral, to deprive the Catholic of the franchises of the Constitution, *because* they contribute to the Church, lest, on obtaining those franchises, they should pass laws withholding that contribution,—as if you had any right to make that supposition, or any right to insist on that perilous monopoly, which should exclude them at once from Church and State, that they might pay for both without compensation? The great preachers of our capital have not said so; Mr. Dunn, that meek spirit of the Gospel, he has not said so; Mr. Douglass, in his exalted strain of piety, morals, and eloquence

eloquence, he has not said so; nor the great luminary himself (Kirwan); he who has wrung from his own breast, as it were, near 60,000, by preaching for public charities, and has stopped the mouth of hunger with its own bread, *he* has not said so. I ask not what politicians may instil and may whisper, but what have the laborious clergymen preached and practised?

"But the Revolution, it seems, is an eternal bar; they find the principles of slavery in the Revolution, as they have found those of darkness in Revelation. If they mean to measure the privileges of the Empire by the model existing at the Revolution, they must impose on Ireland eternal proscription; for at that time she was deprived of the rights of Trade and Constitution, and the Catholics of all rights whatsoever; and they must impose on the Empire two opposite principles of action, one of them exclusively for England, the principle of Liberty, which must spread and flourish with the progress of civilization; and the proscriptive principle for the rest. They are then to make Ireland fight for British Liberty and Irish Exclusion. Their argument is therefore not only a wicked wish, but a vain one. Nor is this the practice of other countries: those countries do not require the religion of the public officer to be the religion of the state; their practice has been notoriously otherwise: they who said the contrary, labour under a glaring error. Nor will you be able to encounter France, and the other nations of Europe, if they shall avail themselves of the talents of ALL their people, and you will oppose them by only a *part* of yours; and while you deprive yourself of the *full strength* of those talents, expose yourself to their *animosity*. It follows then, whether you look to the principles of liberty or empire, that you cannot make the proscriptive system, existing at the Revolution, the measure of the other parts of your empire; you must then make the principles of the

Revolution that measure. What are those principles? Civil and Religious Liberty—they existed at that time in full force for you, they existed as seminal principles for us, they were extended to the Protestant part of Ireland a century after, they remain now to be extended to the Catholics: then will your revolution be completed, not overthrown; then will you extend the principles of your empire on those of your constitution, and have secured an uniformity of action, by creating an identity of interest: thus will you have simplified the imperial and constitutional motions to the one, and the same principle of action moving you in your home and in your imperial orbit, informing the body of your laws, and vivifying the mass of your empire. The Petition on your Table from the county of Oxford states, the Catholics have been ever enemies to freedom, just as the controversialists have said the Catholics must be enemies to the King. But this is doing high injustice to Catholic ancestry; for the Revolution, from whose benefits you are to exclude the Catholics, was founded on a model formed and moulded by Catholics; the Declaration of Rights, being almost entirely declaratory of rights and privileges secured by your Catholic ancestors, one of your great merits at the Revolution, was not to have exceeded that model: but, on the contrary, you restrained popular victory, and restored establishments, and with them kindled a Vestal flame which has outlasted the French conflagration; and whose vital heat, which then cheered you, should now cheer the Catholic, and, giving light and life to both, I hope will be eternal. The great objects, Church, State, and Property, I adopt with the controversialist, but I beg to rescue them from his wisdom; to give them, for their support, the physical force of the Catholic body, inasmuch as our danger does not arise from the possible abuse of his constitutional power, but from the possible abuse of

his

his physical thoughts to obtain that consitutional power. In all this debate, you will observe, we argue as if we had but one enemy, the Catholic, and we forget the French; for the course which you are now pursuing is less calculated to keep France in check than Ireland in thraldom: and here, what I said to the Irish Parliament, on the Catholic question, I will repeat to you: I said to them, 'The post you take is, unfavourable independency of the British parliament, exclusion of the Irish Catholics—a post to be kept against the power of one country, and the freedom of the other.'

"I now say to you, The post you would take is unfavourable; a position that would keep France in check and Ireland in thraldom, to be held against the power of one country and the freedom of the other. There are three systems for Ireland; one, such as Primate Boulter has disclosed, a system to set the people at variance on account of religion, that the government might be strong and the country weak; a system, such a one as prevailed when I broke her chain, which made the minister too strong for the constitution, and the country too weak for the enemy; a system, which one of its advocates had described, when he said the Protestants of Ireland were a garrison in an enemy's country, and which another gentleman has described, when he considered Ireland as a *caput mortuum:* this system has failed, it ought to have failed; it was a party goverment, and a party God.

"There is another extermination that will not do; the extermination of three millions of men would be no easy task in execution, no very charitable measure in conception: the Justices of 1641 had dreamed of it, Cromwell had attempted, Harrington had talked of it. I hold the extermination of the people, and even of their hierarchy, to be such an experiment as will not be proposed by any gentleman who

is perfectly in his senses. Extermination then will not do—what is left? The partial adoption of the Catholics has failed, the eradication of the Catholics cannot be attempted, the absolute incorporation remains alone; there is no other. Or did you think it necessary to unite with the Irish Parliament to increase your strength, and do hesitate to identify with the people, which would render you adamant?—See whether you can conduct your empire on any other principle. The better to illustrate this, and in order to ascertain the principles of your empire, survey its comprehension. Computing your West Indies and your Eastern Dominions; England has now, with all deference to her moderation, a very great proportion of the globe. On what principle will she govern that proportion? On the principles on which Providence governs that and the remainder? When you make your dominions commensurate with a great portion of her works, you should make your laws analogous to her dispensations. As there is no such thing as exclusive Providence; so neither, considering the extent of your empire, should there be such a thing as an exclusive empire, but such an one as accommodates to peculiar habits, religious prejudices, prepossessions, &c. &c. You do not, in your dispatches to your generals, send the thirty-nine articles; you know the bigot and conqueror are incompatible; Louis XIV. found it so; you know that no nation is long indulged in the exercise of the two qualities, bigotry to proscribe at home, ambition to disturb abroad: such was your opinion when you established popery in Canada—I do not speak of Corsica—such your opinion when you recruited for the foot in Ireland. It was in the American war this practice began: then you found that the principle of exclusive empire would not answer, and that her test was not, who should say her prayers, but who should fight her battles? On the same principle,

ciple, the Irish militia, which must be in a great proportion Catholic, stands, and on the same principle the Irish yeomanry, who must be in a far more considerable proportion Catholic, stands; and on the same principle you have recruited for the navy in Ireland, and have committed your naval thunder-bolts to Catholic hands. Suppose, in Egypt, the general had ordered the Catholics to go out of the ranks; or if, in one of our sea-fights, the admiral had ordered all the Catholics on shore, what had been the consequence? It is an argument against the proscriptive system, that, if adopted practically in navy or army, the navy and the army, and the empire, would evaporate! And shall we now proclaim these men, or hold such language as the Learned Member; language which if he held on the day of battle, he must be shot; language for which, if a Catholic, he must be hanged; such as you despised in the case of Corsica and of Canada, in the choice of your allies, in the recruiting your army and your navy, whenever your convenience, whenever your ambition, whenever your interest required? Or let us turn from the magnitude of your empire, to the magnitude of its danger, and you will observe, that whereas Europe was heretofore divided in many small nations of various religions, making part of their civil policy, and with alliances, influenced in some degree and directed by those religious distinctions, where civil and religious freedom were supposed to be drawn up on one side, and on the other, popery and arbitrary power; so now the globe has been divided anew—England and France. You have taken a first situation among mankind, you are of course precluded from a second; Austria may have a second situation, Prussia may have a second, but England seems to have linked her Being to her Glory, and when she ceases to be of the FIRST, she is *nothing*. According to this supposition, and it is a supposition which I do not frame, but

but find in your country, the day may not be very remote, when you will have to fight for being, and for what you value more than being, the antient renown of your island! You have said it yourselves, and you have added, that Ireland is your vulnerable part. I admit it. Why vulnerable? Vulnerable, because you have misgoverned her. It may then happen, that on Irish ground, and by Irish hearts and hands, the destinies of this antient monarchy, called Great Britain, may be decided. Accordingly you have voted your army, but you have forgot to vote away your prejudices—you have forgot to vote your people: you must vote their passions likewise:—their horrors at the French proceedings will do much; but it is miserable to rely on the crimes of your enemies.—Always on your own wisdom? Never!—Besides, those horrors did not prevent Prussia from leaving your alliance, nor Austria from making peace, nor the United Irishmen from making war. Loyalty will do much; but you require more,—patience under taxes, such as are increased far beyond what we have been accustomed to, from one million and a half to eight millions; nor patience only, but ardour. The strong qualities, not such as the scolding dialect of certain gentlemen, would excite the fire;—a spirit, that, in the case of an invasion, will not sit as a spy on the doubt of the day and calculate; but though the first battle should be unsuccessful, would come on with a deperate fidelity, and embody with the destinies of England. It is a wretched thing to ask, how would they act in such a case? What! after a connexion of six hundred years, to thank your admiral for your safety, or the wind, or any thing but your own wisdom! And therefore the question is not, whether six or ten Catholics shall get so many seats in this House, but whether you will give to three millions of your fellow subjects, a participation, full

and

and equal, of that Constitution enjoyed by their Protestant countrymen—and attach to you so many grateful and faithful millions? In such a case, you would live, *all a people*. What is it that constitutes the strength and health of England, but this sort of vitality, that her privileges, like her money, circulate every where, and centre no where? This it was which equality *would* have given, but did not give to France; this it was which the plain sense of your ancestors, without equality, did give the English; a something, which limited her Kings, drove her enemies, and made a handful of men fill the world with their name. Will you, in your Union with Ireland, withhold the wholesome and invigorating regimen which has made you strong, and continue that regimen which has made her feeble? Give to the Irish Catholics the participation they desire, and all your affections and wishes will be the same. You will further recollect, that you have invited her to your patrimony, and hitherto you have given her taxes, and an additional debt; I believe it is of twenty-six millions: the other part of your patrimony,—I should be glad to see *that*: talk plainly and honestly to the Irish;—'Tis true your taxes are increased, and your debts multiplied—but here are our privileges; great burthens, and great privileges—this is the patrimony of England, and with this does she assess, recruit, inspire, consolidate.' But the Protestant ascendancy, it is said, alone can keep the country; namely, the gentry, clergy, and nobility, against the French, and without the people. It may be so: but in 1641, above ten thousand troops were sent from England to assist that party; in 1689, twenty-three regiments were raised in England to assist them; in 98, the English militia were sent over to assist them: what can be done by spirit will be done by them: but would the City of London, on such assurances, risque a

guinea? The Parliament of Ireland did risque every thing, and are now nothing; and in their extinction left this instruction,—not to their posterity, for they have none,—but to you, who come in the place of their posterity,—*not to depend on a sect of religion, nor trust the final issue of your fortunes to any thing less than the whole of your people.*

"The Parliament of Ireland—of that assembly I have a parental recollection. I sat by her cradle:—I followed her hearse! In fourteen years she acquired for Ireland what you did not acquire for England in a century—freedom of trade, independency of the legislature, independency of the judges, restoration of the final judicature, repeal of a perpetual Mutiny Bill, Habeas Corpus Act, Nullum Tempus Act—a great work! You will exceed it, and I shall rejoice. I call my countrymen to witness, if in that business I compromised the claims of my country, or temporized with the power of England. But there was one thing which baffled the effort of the patriot, and defeated the wisdom of the senate—it was the folly of the theologian. When the parliament of Ireland rejected the Catholic Petition, and assented to the calumnies then uttered against the Catholic body—on that day she voted the Union. If you should adopt a similar conduct, on that day you will vote the separation. Many good and pious reasons no doubt you may give; many good and pious reasons she gave; and *there* she lies—with her many good, and her pious reasons! That the Parliament of Ireland should have entertained prejudices, I am not astonished; but that you, that you, who have, as individuals and as conquerors, visited a great part of the globe, and have seen men in all their modifications and Providence in all her ways—that you, now, at this time of day, should throw up dykes against the Pope, and barriers against the Catholics, instead of uniting with

with that Catholic to throw up barriers against the French! This surprises; and in addition to this, that you should have set up the Pope in Italy, to tremble at him in Ireland: and further, that you should have professed to have placed yourself at the head of a Christian, not a Protestant league, to defend the civil and religious liberty of Europe, and should deprive of their civil liberty one-fifth of yourselves, on account of their religion—This surprises me: and also that you should run about like a grown-up child, in search of old prejudices, and should prefer to buy foreign allies by subsidies, rather than subsidize fellow-subjects by privileges; and that you should now stand, drawn out as it were in battalion, 16,000,000 against 36,000,000, and should at the same time paralyse a fifth of your own numbers, by excluding them from some of the principal benefits of your constitution, at the very time you say all your numbers are inadequate, unless inspired by those very privileges! As I recommend to you to give the privileges, so I should recommend the Catholics to wait cheerfully and dutifully. The temper with which they bear the privation of power and privilege is evidence of their qualification; they will recollect the strength of their case, which sets them above impatience; they will recollect the growth of their case from the time it was first agitated to the present moment, and in that growth perceive the perishable nature of the objections, and the immortal quality of the principle they contend for. They will further recollect what they have gotten already—rights of religion, rights of property, and above all the elective franchise, which is in itself the seminal principle of every thing else. With a vessel so laden, they will be too wise to leave the harbour, and trust the fallacy of any wind: nothing can prevent the ultimate success of the Catholics but intemperance: for this they will be too wise: the charges uttered against

them they will answer by their allegiance—so should I speak to the Catholics.

"To the Protestant I would say—You have gotten the land and powers of the country, and it now remains to make those acquisitions eternal. Do not you see, according to the present state and temper of England and France, that your country must ultimately be the seat of war? Do not you see, that your children must stand in the front of the battle, with uncertainty, and treachery in the rear of it? If then, by ten or twelve seats in Parliament given to Catholics, you could prevent such a day, would not the compromise be every thing? What is your wretched monopoly, the shadow of your present, the memory of your past power, compared to the safety of your families, the security of your estates, and the solid peace and repose of your Island? Besides, you have an account to settle with the Empire: might not the Empire accost you thus:—'For one hundred years you have been in possession of the Country, and very loyally have you taken to yourselves the power and profit thereof. I am now to receive at your hands the fruits of all this, and the unanimous support of your people: where is it now, when I am beset with enemies, and in my day of trial?' Let the Protestant ascendancy answer that question, for I cannot. Above twenty millions has been wasted on your shocking contest, and a great proportion of troops of the line locked up in your Island, that you may enjoy the ascendancy of the Country, and the Empire not receive the strength of it. Such a system cannot last; your destinies must be changed and exalted; the Catholic no longer your inferior, nor you inferior to every one, save only the Catholic; both must be free, and both must fight the enemy, and not one another. Thus the sects of Religion, renouncing, the one all foreign connexion, and the other all domestic Proscription,

scription, shall form a strong Country; and thus the two islands, renouncing all national prejudices, shall form a strong Empire—a phalanx in the west to check, perhaps ultimately to confound, the ambition of the enemy. I know the ground on which I stand, and the truths which I utter; and I appeal to the objections you urge against me,—which I constitute my Judges,—to the spirit of your own Religion, and to the genius of your own Revolution; and I consent to have the principle which I maintain tried by any test; and equally sound, I contend, it will be found, whether you apply it to Constitution, where it is freedom,—or to Empire, where it is strength,—or to Religion, where it is light.

"Turn to the opposite principle, Proscription and Discord—it has made in Ireland not only war, but even peace calamitous: witness the one that followed the victories of King William;—to the Catholics a sad servitude,—to the Protestants a drunken triumph,—and to both a Peace without Trade and without Constitution. You have seen in 1798 Rebellion break out again, the enemy mustering her expeditions in consequence of the state of Ireland, twenty millions lost, one farthing of which did not tell in Empire; and blood, barbarously, boyishly, and most ingloriously expended. These things are in your recollection: one of the causes of these things, whether efficient or instrumental or aggravating, the proscriptive system I mean, you may now remove: it is a great work!—or has ambition not enlarged your mind, or only enlarged the sphere of its action? What the best men in Ireland wished to do but could not do, the patriot courtier and the patriot oppositionist, you may accomplish. What Mr. Gardiner, Mr. Langrishe, men who had no views of popularity or interest, nor any but the public good; what Mr. Daly, Mr. Burgh, men whom I shall not pronounce to be dead, if their genius live in this measure; what Mr. Forbes and every man that

loved Ireland; what Lord Pery, the wisest man Ireland ever produced; what Mr. Hutchinson, an able, accomplished, and enlightened servant of the Crown; what Lord Charlemont, superior to his early prejudices, bending under years and experience, and public affection; what that dying nobleman; what our Burke; what the most profound divines, Doctor Newcome, for instance, our late Primate, his mitre stood in the front of that measure; what these men supported:—and against whom? Against men who had no opinion at that time on the subject, except that which the Minister ordered; or men, whose opinions were so extravagant, that even bigotry must blush for them; and yet those men had not before them considerations which should make you wise—that the Pope has evaporated, and that France has covered the best part of Europe! That terrible sight is now before you; it is a gulph that has swallowed up a great portion of your treasure;—it now yawns for your being.—Were it not wise, therefore, to come to a good understanding with the Irish *now?* It will be miserable, if any thing untoward should happen hereafter, to say, We did not foresee this danger; against other dangers, against the Pope, we were impregnable; but if, instead of guarding against dangers which are not, we should provide against dangers which are, the remedy is in your hands,—the FRANCHISES of the CONSTITUTION. *Your* Ancestors were nursed in that cradle: the Ancestors of *the Petitioners* were less fortunate: the Posterity of *both* born to new and strange dangers; let them now agree to renounce jealousies and proscriptions, in order to oppose what, without that agreement, will overpower both. Half Europe is in battalion against us, and we are damning one another on account of mysteries!—when we should FORM AGAINST THE ENEMY, and MARCH.—But I am exhausted."

THE ATTOR-

The ATTORNEY GENERAL.—I am as anxious to concur in any measure, which has for its object the consolidation of the strength and interest of the Empire, as either of the two Hon. Gentlemen who have supported this motion; but the proposition of the Hon. Member who opened this debate does not appear to me in any way calculated to meet that end. The Hon. Gentleman has stated the abstract question of right, with his usual precision, but certainly not so strong as he might have done, nor can I agree with him in the inferences he has endeavoured to deduce from it. The Hon. Mover of the question has argued, that no danger is to be apprehended at present in admitting Catholics to the Representative Privilege. Possibly not. Great numbers may not come in at first, but Parliament is to look prospectively to the effect of the measure, and the probable line of conduct that would be pursued by the Catholics when they shall obtain a share in the representation. I do not suppose that they would endeavour to recall and replace upon the Throne a branch of a family which had been formally excluded. I do not suppose that they would endeavour to take away all the tithes from the Protestant Clergy for the purpose of giving them to their own; but if a proposition were made to take away part of the tithes from the Protestant Clergy, for the purpose of conferring them on the Catholic Clergy, I am not sure that many worthy men may not be found in this House to entertain it; and, in the event of a division, I am sure the Catholic representation would be as a dead weight in the scale. I shall not take up the time of the House in considering all the objections to which, in that particular respect, the Motion is liable. I will content myself with proving that it is repugnant to a solemn stipulation between Ireland and Great Britain, and in doing that I shall furnish, I trust, sufficient matter for rejecting it. The stipulation to which I allude is that contained in the Fifth Article of the Act of Union, which expressly mentions, that the Protestant Church is to be the established Church of the State.

State. It is said that the measure would put an end to all disaffection, and yet, in the very same breath, Gentlemen assert that none exists. I would agree with them in the praises which they have bestowed upon the loyalty of the Catholics, and admit that the Rebellion in Ireland was not a Rebellion of Catholics; and that no greater number of that persuasion were to be found in it than might be expected in a country whose population was in so great a proportion Catholic. The conciliation of Ireland is the ostensible reason for bringing forward the measure; but if that be really the question, Gentlemen will do well to consider the effect of it, not only upon the Catholics, but upon the Protestants also. They should consider what would be the alienating operation of the repeal of the fifth Article of the Union, upon the Protestant population of Ireland. I fear the effect of it would be to destroy that tranquillity which the Honourable Mover of the Question seems so anxious to maintain. Even that morality, and conscientious regard of their oaths, which is said to be so strongly inculcated by the tenets of the Catholic religion, should convince Gentlemen, that in a regular, orderly way, they would omit no opportunities of procuring for their religion all possible advantages. It is true that the petitioners have abjured any intention to subvert the Protestant religion for the purpose of introducing their own; but do they profess for the whole Catholic Body? do they profess for the Clergy as well as the Laity; or do they only profess for themselves? I have looked at the Petition, and I cannot find the hand of a single Clergyman of the Catholic persuasion affixed to it; and the reason assigned, as I understand, is, that it is a Petition for civil rights, in which they could not participate. The Catholic Clergy have not abjured the expectation of being restored to all the dignities which were possessed by them previous to the Reformation; and if they had, I should not have thought so well of them as I do. Have they not their Bishopricks, their Deaneries,

Deaneries, and all the gradations which are to be found in the Established Church? And knowing this, who can say that they have relinquished all hopes of enjoying the emoluments appertaining to those dignities? One of their tenets is, and of which any member who goes into a bookseller's shop may convince himself, that they are bound to pay tithes only to their lawful pastors. Nay, some persons have carried the principle much further. A Mr. M'Kenna, a very able man I will acknowledge, had proposed, in a treatise of much learning and ingenuity, that thirty or forty acres of land should be purchased in every parish in Ireland, and a house should be built on it for the Catholic Clergyman. Is not this a plain indication of the extent of their hopes and prospects? No man can entertain a doubt that it is their inclination to propagate their religion by every means in their power. This is a principle inseparable from the character of every religion. Were I in a Catholic country, professing the religion I do, I should feel an inclination to advance that religion; and so it is natural to expect the Catholics would do, whenever they had an opportunity. I am not so sanguine as the Hon. Mover, in his expectations of the advantages that are to result from the measure proposed. I do not think it would produce conciliation in Ireland, or give that satisfaction to the Catholic body that is asserted. On the contrary, the effect of it, in my opinion, would be, to bring the two sects nearer to each other, and consequently to increase that spirit of rivalship and jealousy which has unfortunately subsisted between them. *(Murmurs of impatience.)* I claim the indulgence of the House for a few moments longer. I see there is no great disposition to listen to me; and after the manner in which the attention of the house has been gratified by the eloquent and able Member who has just addressed it for the first time, I am aware that any thing which falls from me must appear flat and uninteresting. I think that no alternative can exist between

keeping the Establishment we have, and putting a Roman Catholic Establishment in its place. If Gentlemen can make up their minds to that, they may conciliate Ireland, but not otherwise; or perhaps they may enter into a treaty with Buonaparte to allow the Pope to grant them another *Concordat*. This appears to me to be the only true way of stating the question. The immunities which have been already granted to the Catholics, I think, are sufficient; and there is one of them, I mean the elective franchise, which, had I been a member of the Legislature, I should have felt an inclination to oppose, and also the Roman Catholic College. What privilege is there which the Catholics do not enjoy, with the exception of sitting in Parliament, and the capacity of being appointed to a few great offices, in as full and complete a manner as those who profess the established religion? They have nothing to desire on the score of toleration, that they and every other Dissenter from the Established Church do not enjoy as fully as they could wish. Anxious as I am to conciliate so important a member of the empire, I cannot bring myself to approve of the measure proposed by the Honourable Mover. If the demands of the Petitioners were conceded to their numbers and their majority, no possibility would remain of refusing to comply with any future demands they may think proper to make. What their numbers and majority shall have once obtained, will only tend to stimulate them to fresh demands, until nothing remains for them to require, and they become not merely a prevailing party in the State, but exclusively the State itself. For those reasons I will vote against the motion for referring this Petition to a Committee

Mr. ALEXANDER.—Sir, unwilling as I am at all times to obtrude myself upon the attention of the House, yet I feel too deeply interested upon the present occasion to be awed from expressing my sentiments. When the Right Honourable Gentleman who has just sat down feels so much embarrassed under

under the impression created by the very eloquent speeches of both the Honourable Members who have preceded him in support of the petition, I cannot deny that I too have my feelings under that impression ; but I should ill perform the duty I owe to my conscience, to the crown and my country, if I gave way to them. I own my national pride is certainly gratified by the attention paid to the talents of the Right Honourable Gentleman who spoke last but one; but I can never forget, that I have witnessed those talents employed successfully in beating down the laws and constitution of *his* country: *(Loud murmurs and cries of No! No! No! No!)* I do not accuse the Honourable Gentleman of design; but he has amplified so much on the strength of the physical numbers of what he has called the Irish people, has asserted and painted their imaginary grievances in such high colouring, that there grew in the minds of an influenced and infatuated peasantry, a conviction that they had just motives for rebellion, and strength to accomplish their object. What admits of no doubt, and which I cannot forget, is, that the Honourable Member's conduct and sentiments prevented his taking any share in putting down that rebellion; prevented him from manifesting active loyalty, or exposing himself with other Gentlemen to common exertions, common inconveniences, and common dangers. With such recollections I feel it a duty to withstand all impressions made upon my mind by the talents and reputation of the Honourable Member, and to recall the attention of the House to the arguments of the Gentleman who has opened the debate.

That Honourable Gentleman has stated truly from Archdeacon Paley, that tests were introduced when religious sentiments and religious interests were so universally connected and diffused through certain classes in the community, as to be a proof of a determined purpose of action, and that public necessity justified a general law of exclusion, sacrificing the

pretension of the few, who might feel differently from the mass of their own sect, to public tranquillity and security. He has admitted that the Roman Catholics were in general so strongly attached to the House of Stuart, as to have justified the Legislature in enforcing the oath of supremacy, and other tests, to the exclusion of Roman Catholics from political power. He has debated much upon that subject, and has justified our ancestors for their precaution. And I ask no other grounds of reason than those upon which that Honourable Gentleman has relied, to justify Parliament in the rejection of the present Catholic claims. If attachment to the House of Stuart has justified suspicion, and restrictions from power, how much more strongly does the general aversion of the lower order of Catholics, and of their Priests, to Britain and British connexion, justify all our precaution! I do not hesitate to assert, that with the middling and lower orders of Roman Catholics, and the generality of their Clergy, under every change of Governors or Government, proposed or attempted, separation from England has been the object invariably aimed at. Every passion, religious and temporal, all their traditions, all their prejudices, unite to excite such feelings, and to render this sentiment predominant in their minds; and this House is deceived most fatally, if it suffer itself to be persuaded that they have changed those sentiments. The best historians agree that the Irish Catholics of King James's day used him but as an instrument of separation; they rendered him desperate with England to ensure success to their design—a separation—by forcing him to confiscate all the Protestant and British property in Ireland. The Hon. Gentleman has disclaimed, with great levity, all knowledge of Councils, and of the former opinions of the Catholics, and has entered into abstract discussions of rights, and first principles, for his purposes,—in my mind, with great judgment; but an application of men's minds to the situation of the day,

day, and to existing circumstances, would prove fatal to his arguments, and to his object. Without a knowledge of the Catholic doctrines, and of the influence of those doctrines, the question cannot be fairly understood, and that wilful or assumed ignorance of their opinions is unjustifiable in a gentleman agitating such a question. I repeat, that the influence of the Roman Catholic Clergy in Ireland is now most formidably great; that in that country, an Hierarchy exists unconnected with the Crown, but immediately dependent upon the Pope; that there exists in Ireland at this day a most numerous body of Roman Catholic Clergy, devoted to the doctrinal opinions of the Church of Rome, and maintaining the spiritual and ecclesiastical jurisdiction of that Court. In fact, the *Papistry* is in many points of view more formidable in the present state of Ireland, from the objects on which it attaches, and the persons it influences, and produces a more uncontrollable power over their people, than even before the Reformation. The objects of the first Reformers were twofold: the remedying the avarice, voluptuousness, and power of the Clergy; the abolition of their separate courts of jurisdiction, and all those privileges, exemptions, and distinctions, they claimed or proposed, and which enabled the Clergy to cope with Princes, and to oppress and insult the People. Princes and People had feelings in common, that led them rapidly to concur in those points with the Reformers; and countries the most Catholic, and the most devoted to the See of Rome, limited and curtailed its power and possessions, and wrested from it the supremacy in temporal matters. But matters of doctrine being blended with matters of faith, and being admitted to be above the comprehension of the lower and middling classes of the people, not being equally apparent upon the qualities of the mind, and the ostensible conduct of those who governed or were governed by them, were not an object of jealousy to Princes, or of painful and degrading

grading contrast to the People. The Catholic Clergy, unequal, therefore, to combat the feelings excited by their luxury and power, seldom attempted to punish, or indeed to bring into question, offences against their temporal interests, but accused their antagonists of offences against the *fundamental articles of faith*, and, with consent of Prince and People, inflicted punishments to any extent to which their passions and vengeance led them. The Roman Catholic Church, now, in Ireland, has all those sources of doctrinal influence over the faith of a bigoted people; their Clergy frequently (as I admit), in the transactions between man and man, exercise them for good purposes; but they also have the power of giving a direction to the popular mind, with an effect which is inconsistent with the general safety; and in corroboration of my opinion, I appeal to their conduct in the late and in former Rebellions. In Ireland the British Government seems, hitherto, to feel no apparent interest in opposing the power and encroachments of the Roman Catholic Clergy; the people are left totally in their hands; and from that inattention, their great, and, in this debate, much-boasted influence has arisen: the Roman Catholic Clergy are now interwoven with the people in all their common transactions of life; true it is, they cannot punish criminals; but criminals bear no proportion to the number in any state. But I call upon Gentlemen to consider, what is the effect of *excommunication* among the lower orders of Irish Papists?—It excludes a man from his family, and renders him hateful to it; drives him from his little tenement, nay, precludes him from earning his livelihood, if dependent upon his labour; a power possibly greater than any possessed by the State, from its general diffusion, unsuspected influence, and extensive consequences: add to these considerations, the recollection of confiscated property, the long series of injuries alleged to have been committed by the English against the Irish, the remembrance of

which

which has been constantly kept alive by tradition, and by recent exaggerated statements; and the well-known historical fact, that claims to property cannot fail for want of hereditary succession, as, by the *Brehon* Law, it exists not in individuals, but in the name and *Sept*; and the House will see the reasons and motives for that dislike to British connexion, which ever has, and still continues to influence the lower and more numerous part of the Catholics of Ireland, a peasantry directed by a Clergy generally ignorant in every point but their school-divinity, all influenced by common motives of action, irreconcileable to British connexion at present; under such circumstances, though we cannot anticipate what growing wealth and more diffused intercourse may hereafter effect, we must still be on our guard. For these reasons I consider a knowledge of the doctrines of the See of Rome, and their actual influence upon the Irish Clergy and the Irish Catholics, is a most serious subject of consideration upon this occasion. As long as these prejudices and habits continue to influence their people, I am convinced no good effect can result from concessions. I am equally convinced that the better informed, the Nobility and Gentry, feel too many advantages resulting from their present situation, not to act with the utmost loyalty, and many, I admit, have already distinguished themselves by their conduct. But it would be reasoning like Novelists, and not like Statesmen, to make the great fundamental principles of a Constitution like that of this mighty Empire, bend so far, as to sacrifice its bulwarks in exchange for the strength expected to be derived from the gratification of the feelings of a few individuals; those new doctrines which teach a man to forget all he owes to the Laws, the Constitution, and the King; all that he owes to his family, his property, and his honour, if checked or controlled in the pursuit of objects which he may be taught to overvalue; and I lament that such loyalty is represented as only to be retained and secured by the sacrifice

crifice of our Constitution! The numbers of the Irish Catholics have been stated with a double object, to describe them as a source of strength, if conciliated, and of terror, if not gratified in their demands. If the higher classes of the Catholics have influence, and have not hitherto exerted it, they can have no claims upon the confidence or gratitude of the Legislature; but if (as I believe the case to be) they possess no power when opposed to the passions of the inferior people, and the interested exertions of their Clergy, I consider the yielding to their claims, a sacrifice of the Constitution for a most trivial consideration. On more general grounds, the introduction into Parliament and the Cabinet of a certain number of the Catholics, heading and acting as the organ of the Catholic people, might be productive of the most fatal consequences; divisions might arise among the Protestants, and a misguided Monarch might attempt to obtain powers incompatible with the safety of our Church and State, by the aid and support of that Catholic party or interest. Such views were imputed to Charles the First; such conduct was certainly adopted by James the Second; and of that misguided effort we only escaped the fatal consequences, by placing the present Royal Family on the Throne. The concessions now sought might also prove fatal to the Catholics themselves, and tempt them (as it has hitherto done) into struggles for ascendency, which might prove fatal to the privileges they now enjoy. Their advocates boast much of their wealth, fairly and honourably acquired under our mild and equal laws; honours have been conferred by the Crown, or restored to their most distinguished families; the absence of jealousy, and the consciousness of our superior constitutional strength, justified our Monarch in conferring these favours, and the Protestant people in rejoicing at their attainment. But great States are distinguished by the wisdom of their precautionary measures; the wisdom of British policy has led its Councils to protect the Crown from

tempta-

temptation, and to guard the conduct of the Monarch against the effects of his passions and his wishes, by withholding the instruments by which our Constitution in Church and State might be assailed and subverted. Should a British Monarch entertain such views, the manufacturing and preparing instruments would alarm the jealousy, and enable the wealth and independence of the Empire to rise in defence of its civil and religious liberties. As far as the feelings of the Crown itself may be concerned, we must consider how cruel it would be to render the exclusion of such a description of subjects from his Councils and the higher offices of State a matter of personal objection, and consequently of personal odium against the Monarch himself.

The Catholics surely expect that the capability which they now wish to obtain should be productive of its effects. At present no individual can feel, in his exclusion from power, a personal degradation; he must attribute it to existing laws, and to the existing constitution. Give them capability, and then do not confer upon a great proportion that share in the Cabinet and the Councils of the Crown which they fancy their boasted numbers and wealth entitle them to, and will you conciliate a single individual? Will not discontent be more formidable than it is at present? On the other hand, what would be the sentiments and the sensation of the people of this Empire, were they to see a Protestant Monarch, whose tenure to his throne depends upon his fidelity to his religion, surrounded by Catholic counsellors? Could any circumstances reconcile them to such a choice in the Monarch himself? And should the strength of parties (as it is sometimes supposed to have done) force such ministers, and such counsellors upon the throne, how miserable, how degraded must be the situation of our Monarch, and how precarious the state of our religion and of our civil liberties! Such appear to me to be the inevitable evils of concession to the present claims; and if we are to be reduced to a choice

of evils, and must consider Catholic numbers (as the Honourable Members have held out) a source of intimidation, our ancestors have held Ireland in times infinitely more unfavourable, and against numbers infinitely more disproportioned; and I entertain no doubt that we should do so again. Let England but understand her true interest; let her justly appreciate the spirit, zeal, and loyalty of the Protestants of Ireland; let her be convinced, *they* feel their properties, their honours, and their lives, dependent upon British connexion: but if England unfortunately forgets what is due to as brave and as zealous allies as any nation ever possessed—her Protestant subjects of Ireland—she will have the most fatal reasons to lament her acquiescence in their and her own destruction. Let England be firm in her adherence to her laws and constitution. No Catholic can be oppressed by the Laws in Ireland; his property and his person are protected by the same Code and Juries that protect the Protestant. If, notwithstanding these advantages, any of them should appeal to numbers, and be rashly tempted into rebellion, arms and the law must punish the rebels! With such impressions upon my mind, I should have felt myself unworthy of being the Representative of my Protestant countrymen, had I not borne testimony to their zeal and their loyalty, but had shrunk from the weight and talents of the Honourable Gentleman. I trust in God, and in the courage of the nation, that we are able to defend our laws, religion, and property; to maintain our faith, and to uphold the Throne.

(The cry of Question was very frequent during Mr. Alexander's *speech.)*

Mr. W. SMITH observed, that if the House did not seem desirous to wait longer, he would move an adjournment. *(A loud cry of Adjourn! Adjourn!)*

Mr. W. SMITH was proceeding: *(Adjourn! Adjourn!)*—when he moved for an adjournment till this day.

The CHANCELLOR of the EXCHEQUER said,

said, that he thought it was desirable that the debate should have terminated on that night, but had no objection to adjourn, as it seemed to be the wish of so many Gentlemen to deliver their opinions. *(A cry of Adjourn repeated.)*

The question of adjournment was then put and carried, *nem. con.*

Adjourned at a quarter before three this morning till afternoon.

Tuesday, May the 14th.

Mr. WILLIAM SMITH moved the order of the day for resuming the adjourned debate upon the Catholic Petition; which order being read, he addressed the Chair as follows:

Sir, I feel extreme satisfaction that the House has not come to a decision upon this great question, before it had heard the brilliant speech of an Honourable Gentleman whom I do not now see in his place (Mr. Grattan), and who spoke last night third in the debate; a speech which I, and I am sure every liberal man in this House, heard with the greatest pleasure and admiration; a speech rarely, if ever, equalled within the walls of this House; and which, whether I consider it in point of information, of argument, or of eloquence, upon this great subject, I am sure there is no man present, who heard that speech, but will concur with me in the sentiment, that although it may not be fortunate enough to decide this House with the opinions of the speaker, it will at least put it out of the power of any man to dispute that this House has derived at least one sig-

nal advantage from the Union, in the acquisition of such a Member. The more I revolve in mind the importance of that speech, the more I shall regret if the House shall be inclined to decide upon the arguments and principles laid down in the preceding part of the debate by those who oppose this measure; for, whatever is to be the ultimate decision on the subject, it is highly essential that it should be founded upon the most full and mature deliberation, free from that species of heat and impetuosity, which, I am sorry to observe, seemed to be prevalent on the other side of the House in the course of last night's discussion. I can at the same time feel, and am very ready to admit, that great allowances are due to the warmth of some gentlemen coming from the Sister Country, in their resistance to this measure; and who, residing there during the period of a late most lamentable conflict, had been exposed to all the risks and vicissitudes, in their persons, in their families, and their property, ever inseparable from civil war. I make great allowances for the exasperation of spirit which must naturally arise from such causes, and from the peril or destruction of their dearest connexions. I do not wonder men's tempers should be soured by such events; nor is it wonderful if gentlemen who have felt those evils in their own case, should not be prepared to discuss this subject with so much coolness and deliberation as the Members for this country, who have not been exposed to such causes of provocation. But in making allowances for such feelings, my wish is, that the House may not be led to form its conclusion under the impressions made by assertions prompted by such warmth. And, if I understood the arguments of those gentlemen, and more particularly of the Honourable and Learned Gentleman who spoke second in the debate (Dr. Duigenan), his objections, and all his arguments, were directed against the Catholics, merely as such, and not upon any fair political ground; and in fact, the Learned Gentleman seemed much

much less anxious to answer the arguments of others than to use his own. The Honourable and Learned Gentleman seemed to think that all the authorities were with himself and those who coincided in his sentiments, and that they only are fit to judge of this subject before all others, merely because they live on the other side of the water. But the Hon. Member must excuse me for not giving quite so much weight to that species of argument as it was intended to have; for it must be remembered, that objects may be too near, as well as too distant, from the sight, to form a correct judgement of their proportions; and this appears to me to have been much the case with the Hon. and Learned Gentleman, when he so severely expatiated on the conduct of the Irish Catholics. Another Hon. and Learned Gentleman (the Attorney General) seemed to argue, that let the Legislature do what it might for the Catholics of Ireland, they would not be contented. In this assertion, however, I cannot agree; neither can I conceive that a very great share of what another Hon. and Learned Gentleman (Mr. Alexander) has honoured with the name of facts, were really so. I am, however, willing to give both Gentlemen credit for stating what they imagined to be facts: but even facts, however truly stated, may be in many cases bad foundation for arguments, stated abstractedly, and viewed through the mists of prejudice; for in such cases—

"——————— trifles light as air,
"Are to the jealous confirmations strong
"As proofs of Holy Writ."

The Hon. and Learned Member began by endeavouring to throw discredit on the Petition itself, because, as he alleged, there were many counties in Ireland from which not a single signature appeared amongst the Petitioners: but, whether this observation be meant to insinuate that the Petition is not supported by the general wish of the Catholic Body, or that any portion of them are unwilling to take the Oath

Oath of Allegiance prescribed by law, his objection is, in my mind, unfounded either way. Gentlemen who oppose this measure seem very willing to avail themselves of arguments on both sides of it. One Gentleman argues, that if they have not taken the Oaths of Allegiance, it is a proof of their unwillingness; and another says, if they have taken them, they are equally unworthy of credit. But this species of reasoning is easily refuted by a very short answer; for, if the scruples entertained by the Catholics against taking that oath be the only impediment to attain all they wish to enjoy, what becomes of those bold assertions and sophistries used against them, on this ground, to impeach their loyalty, or shake their credibility? I hold in my hand a book containing a list of 2000 Catholics who refused to take an oath prescribed for them to George I. which they could not reconcile to their consciences, but preferred every species of penal proscription and preclusion to which their refusal exposed them: the very fact of refusal to take the Oath under an exposure to such alternatives, was in my mind an irrefragable proof of their conscientious veracity. The refusal of the emigrant priests of France to take an oath of fealty to the usurpant rulers of that country, after the dethronement and massacre of their lawful King, and their preference to abandon those benefices which they might still have enjoyed, and to embrace banishment, and a miserable and precarious subsistence in this country, whither they came in such numbers as to excite the popular clamour, that they were come to take the bread from the mouths of Englishmen, stands as another striking proof that oaths are not regarded by the Catholics as matters of indifference: these instances amount to evidence, in my mind, subversive of all the assertions that have been made upon the authority of musty documents, or any silly resolutions of Ecclesiastical Councils in the twelfth or fifteenth centuries, of Lateran or elsewhere, quoted by the Hon. and

Learned Gentleman. I have not thought it worth while to look much into decrees of this kind; but I have looked into some books which I accidentally have, such as Pictures of Papacy, Secret Institutions of the Jesuits; but I have found nothing in those to warrant me in following or assenting to the assertions of the Hon. and Learned Gentleman in his speech last night. It is certainly possible, that by selecting the worst passages in those books, and stringing them together without the context, they might be construed to warrant some such conclusions; but I will ask the House, whether there does not arise in the breast of every candid individual an internal evidence infinitely more powerful than such garbled extracts? and whether any candid and liberal man can believe such extracts are a fair representation of the feelings of Catholics in the present day? With regard to the Catholic Faith, I cannot be expected to have a peculiar regard for its tenets or its doctrines—perhaps I am removed from both to the greatest possible distance; I am a Protestant Dissenter, and, as such, cannot possibly have any peculiar predilection for the Catholic religion; but I feel for those who profess the Catholic religion, as one man may feel for other men: I trust I feel for the Catholics as I ought to feel for them, as men who have, to a certain degree, been oppressed on account of their religious opinions, and who have as great a right to entertain religious opinions, which I may look upon as absurd, as I have to entertain mine, which may appear to them to be blasphemous. Their opinion of my tenets does not make them blasphemous, neither does my opinion of their tenets make them absurd. To our Creator let us answer for these matters, and not to one another. Let us stand or fall as we are right or wrong before our Maker; but do not let us answer to any human tribunal for our religious opinions. The Hon. and Learned Member has referred to a pamphlet written by a professional gentleman named Scully, whom he

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attacked, but not in the most liberal manner, when he founded his accusations upon detached passages quoted from the production of that Gentleman: for how is the House fairly to judge of those passages without the context, which might show them in quite a different light from that in which the Hon. and Learned Member wished them to appear? And indeed this conjecture was confirmed by the Learned Gentleman himself, when he admitted that Mr. Scully enjoined his Catholic brethren to be quiet in their demeanour, and to join the Royal Standard for the defence of their country, in case of an enemy's landing. Indeed, the Hon. and Learned Gentleman, throughout his speech, has made use of contradictory arguments, ill according with his logical precision, at the same time that he was calling on this House to come to certain conclusions.—Another of the accusations against Mr. Scully is, that he has spoken of King William as a Dutch Invader:—but what, I ask, has this to do with the merits or demerits of the Catholic Body, or the Petition before this House? The question is, whether any political danger is to be apprehended from an individual who thought of him so, at a time when there is no person existing upon earth to question the title of his illustrious family to the throne of this country?—unless, indeed, it is apprehended that Bonaparte intends to fight against us in the name of the House of Stuart, with a view of restoring to the Government of this Country the principles of that family. The Hon. and Learned Gentleman has, in his endeavours to defend a law against opinions in Ireland, maintained that there is a law against opinion in England; and this he has attempted to support by instancing the qualification the law requires of every person, before he can be eligible as a Member of Parliament, that he must have 300l. a-year to represent a Borough, and 600l. to represent a County. How this measure of mere precaution to guard against the possibility of a man's poverty being too much for his independence of spirit,

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and might therefore expose him to temptation, I am at a loss to conceive. The other topics brought forward by the Learned Gentleman were exaggerated representations which I hardly ever before witne sed; and for what purpose? For the purpose of preventing the House from going into a Committee. For he has argued, as if the inevitable result of going into the Committee would be that of making to the Catholics the most extravagant concessions. He has said, that if the House goes into a Committee, the Catholics of Ireland would have the right of being elected Members of Parliament granted them. The Learned Gentleman had jumped to a conclusion most hastily—indeed he had jumped into several conclusions much too hastily. He has concluded, that one of the first effects of rendering Catholics eligible to sit in Parliament would be, that fourscore of them would be directly chosen to represent Ireland. The next step which he came to by way of conclusion was, that they would all be in attendance always in this country. I cannot however agree in the apprehensions expressed by the Hon. and Learned Member, that even the admission of Catholic Members to the full extent he has mentioned, would have the effect of embarrassing His Majesty's Ministers on any measure they might think fit to demand. It is a libel, not only upon His Majesty's Government, but upon this House, to assert, that even if all the Irish part of the Representation were Catholics, and every one of them disposed as the Learned Gentleman has alleged, they could by "hanging together," as he has expressed it, or conspiring ever so closely, carry any measure in this House inimical to His Majesty's Government in Church or State, against the check of 558 Protestant Members of Great Britain; and that the Minister of a Protestant Monarch, acting under a Protestant Executive, would agree with these fourscore to overturn the whole of that Executive Government, which, when done, would be the absolute extinction of his own power and influence. Why all these

things are to be taken for granted, if Roman Catholics should be declared capable of becoming Members of Parliament, I know not. I ought to leave this part of the case to be answered by the Chancellor of the Exchequer; and, indeed, the task of answering 9-10ths of the speech of the Learned Gentleman naturally devolves to that Right Hon. Gentleman, whom the House must, of course, anxiously wish to hear on this important subject; and he will of course show that the Government of this country is not made of such straw and stuff as the Learned Gentleman seems to insinuate. Another Hon. and Learned Gentleman, and a friend of his (Mr. Alexander), has dwelt a good deal on the influence of the Catholic Clergy over the minds of the lower orders of Catholics, as members of society. This is a part of the question which certainly has its difficulty: but here again the evil is exaggerated; for the Catholics are not now what they were centuries ago. They certainly are greatly altered, whatever may be insisted upon to the contrary; for there is nothing immutable in this life, except physical causes and moral truths. Thus the Catholics, like the rest of the human race, are to be improved by instruction and kindness, and to be exasperated by injury and oppression. I fully concur in the opinion delivered by that great man, the late Mr. Edmund Burke, that there is no such thing as Geographical Morality, and that the influence of good treatment and oppression must be the same in one country as in another. If it were true that the Catholics are so constituted as that no benefits can conciliate them, there is no alternative but to continue them in chains. The British Legislature listened to no such opinions as those of the Learned Gentleman, when she adopted the Catholic Constitution in Canada, which never has excited insurrections or rebellions; but the Hon. and Learned Gentleman is so tenacious of his acknowledgment even for the loyalty and peaceful demeanour of the Catholics in that province, that he tells us it is yet too soon to form

form any conclusions; and insinuates, that though no rebellions have arisen, there is no proof that none may arise; for we are more indebted for the pacific dispositions of the Canadians to the ice of the river St. Lawrence, and the terrors of the British Fleet, than to the loyalty of that people. But if the natural character of the Catholic Religion were such as has been represented, the effects would have been the same in Canada as in Ireland. If in Canada we pursued, as in Ireland, a series of confiscations and severities, discontents would naturally arise from our oppressions, and not from the religion of the people. I cannot conceive that any prejudices can be entertained by Catholics stronger than those avowed by Protestants in the course of this discussion. But in either I know no means of obviating them, but by the influence of reason, and the confident assurance that no more oppressions shall be exercised, and by granting to the Catholics every thing fair and liberal; for, like every other class of mankind, they will be more or less satisfied in proportion as they ought to be so. I am sorry to find the discussion of this subject now appears in rather an unfavourable view, in consequence of the decision pronounced on it in another House of Parliament. But the House of Commons, I trust, will bear in mind its own independence. It is their right and their duty to judge for themselves, and they may without vanity cherish the hope, that should their decision this night be in favour of this Petition, it will ultimately have weight in every other quarter. I should lament indeed that the Catholics of Ireland were given to understand that the whole of this country was averse to them, or that there was *no* branch of the British Legislature willing to take their respectful petition into consideration. If we go into the Committee, though it may not be thought right to grant the whole, we may grant a portion. For my part, I am extremely desirous to have even a definite number of Catholic Gentlemen sitting in this House, which in my mind

would be the wisest measure we could pursue; because I am confident even *that* would go a great way to satisfy the feelings of the Catholic community. I think I might appeal to every unprejudiced man in this House, whether in the course of all his intimacies he ever has found a Roman Catholic Gentleman the worse man on account of his Religion. If he has, he has been more unfortunate than me;—for though my connexions with Roman Catholics have not been very extensive, yet I never met one that I could discover, from his character and conduct, inconsistent with the principles of the most virtuous religionist. I think, if the gentlemen of that persuasion were once admitted to seats in this House, they would not be found such mischievous animals as the Learned Gentleman has endeavoured to represent them. I think they would cheerfully join with the Protestant Members of this House in every virtuous measure for the public good; and that by such an union the strength of this Empire would be best consolidated, and infinitely more effectual for our common security against the common enemy, than it can possibly be with hearts disunited and jealousies perpetuated. I had many more observations to offer; but I shall not now detain the House longer, than by declaring my hearty assent to the motion.

Mr. LEE.—"The question now under consideration appears, Sir, to me, to be the gravest and most important that ever was debated within the walls of Parliament. It naturally arises out of the Act of Union, and should have been maturely considered before that measure was adopted. I will not assert, that, while that plan was in agitation, this concession to the Catholics was expressly stipulated; but I never heard it denied, that there was at least an understanding on the subject. Not having the same opinion of the benefits of that project, as many others seemed to entertain, I had some hopes that it might have been averted, till I observed that these expectations were held out by the Right Honourable Gentleman

who proposed this measure, in a speech so replete with reasoning and eloquence, as would have done honour to the brightest æras of Greece or Rome. The Right Honourable Gentleman then said, that the disproportion which before existed between the persons professing the Catholic and Protestant Religion in Ireland being done away by this measure, afforded a chance that the same objections would not be made to the Catholics' having a full participation in the British Constitution. That speech, many of us knew, made a very deep impression on the minds of the Irish Catholics; and, having carefully attended to all the debates which took place at that time, I could not help observing, that there was no Gentleman in this House who made a stand upon that point, or endeavoured to obtain a pledge either way upon it. I was also present in this House, when the Right Honourable Gentleman was questioned as to his reasons for resigning, and recollect his having answered, that he did so in consequence of being unable to carry a measure which appeared to him essential to the public welfare, declaring at the same time, that he owed too much to his Royal Master to press the subject on him, and that he should think it his duty to oppose it, if it came from any other quarter; and this was, I think, fair parliamentary ground. At present, though I am from principle determined to support the Motion since it has been submitted, I must now declare, that I think it wrong in the Roman Catholics to bring it forward at this moment. I should even support the repeal of the Test to the Dissenters, if that were now the question—though, undoubtedly, the argument of numbers does not apply to them in the same manner as it does to the Roman Catholics of Ireland, who, in point of rights, must be acknowledged to be one short of their due proportion. When you consider, that, on the lowest calculation, the Catholics of Ireland compose three millions out of five of the inhabitants of that country, and are rapidly increasing in wealth and consequence,

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you cannot shut your eyes to their situation, and your own sense must make up your mind to grant at some time what is impossible to be avoided. I freely confess, that I have not the least idea of the measure succeeding at present—and am very well convinced, that the Roman Catholics themselves do not expect it. In their private conversation, they do not affect to think that their wishes will be immediately complied with. They say, that in time it will work its way, by the force of reason—but that they cannot expect the Protestants at once to throw away those bulwarks which they so carefully raised against them. The effect of it is sure, however slowly it may operate. I remember myself, that when a bill was brought into the Irish Parliament, for the purpose of indulgence to the Catholics, there were only thirteen Members in the House who voted in favour of it; and yet such was the general agitation, and such the strong sensations excited by its agitation, that the Government was soon convinced that something must be done upon it. The country at that time was not well governed—and towards the approach of the ensuing Session of Parliament, when it was expected the measure would again be brought forward, emissaries were sent down by the Administration to procure Resolutions and Petitions from the different County Grand Juries against it; and they succeeded. But the Catholics seeing no hope of success when the Irish Government was against them, came over to England and petitioned the Throne. Every thing was in readiness for opening the Session of the Irish Parliament. The speech from the throne was prepared, and every resistance to the Catholic claims determined on. But His Majesty was graciously pleased to favour the Petition, and an alteration for the intended speech was transmitted to Ireland, with a recommendation in favour of the Catholics. The change of opinion that took place was equally violent and sudden. These very Grand Juries in the different counties who had assembled, and agreed

agreed in resolutions against the claims of the Catholics, in a short time after were themselves the first who voted in their favour:—and thus the Grand Juries and the Parliament were disgraced. I remember when I was laughed at for saying the Catholic claims must be granted, by many of those persons who in a very short time afterwards voted in their favour. The Irish Parliament, in my opinion, acted on that occasion with great prudence, in not granting them the whole of what they asked for at once; and so much inclined am I to this gradual extension of privileges, that, should the House go into a Committee on the Petition, I should be averse to granting all their demands, though I would agree to Members of that religion sitting in both Houses. No man, who values the Constitution, can approve of three millions of his fellow subjects being unrepresented in the Parliament; but it was very well argued by the Honourable Mover of this question, that the Catholic Body is not even virtually represented, though the members of it are allowed to possess the elective franchise. I will even put it to the Learned and Honourable Gentleman near me (Dr. Duigenan), whether, if his constituents were of that persuasion, he could be considered as the organ of the Catholics? My Honourable Friend may be a very good Protestant; but certainly no very fit representative for the Catholics. All the evils apprehended from giving them seats in Parliament, are now no more than fanciful and chimerical. It was formerly said, If you give the Catholics the elective franchise, the consequence will be that they will vote for no Member without putting to him a test that he will be obedient to their purposes. But they have since obtained the franchise, and no such tests or other consequences have been ever known to happen. It turned out to be no more than a phantom of distant danger, which vanished as you approached it. All the danger that can happen has already been incurred. You have given suffrages to, and put arms into the hands

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of, persons but slightly educated, and most liable to entertain the prejudices you are so much afraid of; and refuse privileges to the higher orders, whose minds are enlightened, whose principles are more sound, and who possess the greatest stakes in the country.

My Honourable Friend has at all times opposed the Catholic claims, not as a question of policy, but as a question of religion, and in support of his opinions he goes back to musty records and obsolete councils, and the ages of ignorance and bigotry. But will any man in his senses seriously compare the opinions of the Catholics of the eleventh with those of the nineteenth century? Have not the Protestants themselves changed their tenets and opinions with the revolutions of time? Are there not new sects of Dissenters springing up every day? In this age of rapid and progressive improvement and cultivation of the intellect, are we to be gravely told, that the Catholic mind alone stands still, and that the people of this day are to be convicted because their ancestors 600 years ago were bigots? If so, let me ask again, Who is the man amongst us who might not be equally condemned upon the same principle? While arts, sciences, and manufactures improve, it would be hard if the human mind alone, and peculiarly the Catholic mind, remained where it was, and that men in this age should be tried by a few foolish Resolutions passed in the Council of Lateran. It has been said, that if the Catholics were once admitted to an equal participation of rights, their first step would be, to overthrow the Protestant Government. I, however, am so far of a contrary opinion, that I can never conceive the union of the two countries, or British connection, safe, while three millions of our fellow-subjects are held in political bondage. The strongest security you can give to the Protestant Establishment, is to reconcile to it three millions of your fellow subjects, who conceive that they are unfairly treated. Nothing appears

pears to me so evil, so extravagant, and so unreasonable, as to suppose you can keep such multitudes always quiet, unless you are determined to redress them. Nor was there ever any thing more difficult for you to do, than to legislate for those whom you refuse to reconcile, and to whom, according to the speech of the Honourable Member, never under any circumstances can further concessions be made, nor any change be effected on the Protestant mind in their favour. Many persons have expressed their surprise, that although the Reformation extended itself so rapidly in England, it made so little and such slow progress in Ireland; but a little reflection will soon resolve this problem. It is allowed that the same means have not been used in one country as in the other, for making the Reformation take root. We have records and testimonies in abundance, to show that in times comparatively remote, Ireland was conspicuous for its civilization and literature; but the reign of Henry VIII., when the Reformation commenced, was one of the darkest ages of that country. There was another cause which did not less operate against the progress of reform. When the Monarch already mentioned first attempted to extend it in Ireland, it appeared, from the letter addressed to him on that occasion by the Irish Master of the Rolls, that the Sovereign's Government did not extend beyond twenty miles from Dublin, and of course his influence was proportionably contracted. It was bad policy to attempt at the same time the Conquest and the Reformation of the country—and yet the reformer travelled with the sword in one hand and the reform in the other. It is therefore manifest that the regular order was inverted; for the King should have conquered the country first, and endeavoured to convert the inhabitants afterwards. Here the Reformation was propagated by argument and reason. The reformers preached to the people in their own language; they listened to the voice of Reason, and were in time convinced. In Ireland

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the Reformed Religion was preached in a language not understood by the natives. The method taken was, to propagate it by the sword, which has seldom proved the fittest instrument for making proselytes. In England the King had no competitor, and easily diffused his Reformation amongst the people ; in Ireland he possessed but a very limited authority, and the doctrines he wished to enforce were considered as coming from an enemy at open war with the people, their habits, customs, and prejudices, and therefore were opposed and resisted by them. The impolitic oppression exercised in Ireland was a further obstacle to its progress. Henry passed a law prohibiting the English settlers from intermarrying or *fostering* with the natives. As this word fostering has an application in Ireland different from what it has here, it may be right to explain that it refers to the poorer sort of the females suckling the children of the rich, which, in that country, is productive of a kind of intimate intercourse and connexion. It is also to be observed, that it was the same Parliament of Henry that promulgated the Reformation, which also passed this Prohibiting Act, which violated all the manners and customs of the people. In every respect the proceedings in the two countries were so extremely different, that the Reformation was not allowed the same play in the one that it was in the other. When the King thought proper to shut up the Monasteries, and destroy the monastic livings in England, he bestowed them, by grant, upon great landed men of considerable property, who commanded the respect of the people. In Ireland, on the contrary, he bestowed them on English settlers, and needy adventurers, whose interests were constantly at variance with those of the people.—Though the territory of the Government, as I observed before, extended no further than twenty miles from Dublin, yet Bishops and other clergy were sent over, who never thought of residing on their benefices ; and, instead of propagating their doctrines,

doctrines, had, in fact, no connexion whatever with the inhabitants. If the religion then adopted had been at that early period taught in Ireland, it would, no doubt, have had pretty nearly the same effect that it had here; but, in that country, it does not appear that any one ever attempted to teach it; nor was the Protestant religion ever tendered to the people, except in the form of an Act of Parliament.—But if Henry failed in the mode which he adopted for propagating the Reformation amongst a people who could not understand a word of the English language, Queen Elizabeth hit upon a most notable project to remedy the defect; for, as the native Irish spoke no language but their own, and could not understand English, she ordered the Bible to be translated for them into Latin—and the Church Service to be performed in that language. It was well said by Lord Clare, that any attempt to force men's consciences only made them hypocrites; and we find that force, instead of argument, was the instrument employed in Ireland. A law was passed, by which the eldest son of a Catholic, who had a landed estate, might, by turning Protestant, dispossess his father. What could be more detestable than this law, which was so well calculated to revolt the feelings of the people, by an unnatural power given to a son to shake off the dominion of his parent? This bribe, however, was not confined only to the eldest; but the youngest, or any other son, was also, by his conversion, afforded the bribe of seizing on his father's estates, and letting it gavel between him and his eldest brother. In this way it will be allowed, that both the King and his Parliament took a most irreligious method of extending their religion, and prepared their converts for being good Protestants, by first making them bad men. The free tenets of the Protestant religion are of that kind that will always extend themselves with the progress of civilization; but you took the very worst mode of effecting this in Ireland. By prohi-

biting the education of Roman Catholics at home, and excluding them from the University of Dublin, you have compelled the parents to send their children abroad, to be educated in foreign countries, where they were, of course, brought up in all the prejudices of the Catholic religion, or, in other words, of Popery. There were also several other acts which had a similar, and, perhaps, an equal tendency; but I shall not detain the House by reasoning on them at present. One great and leading objection which I have heard stated against the admission of Catholics into Parliament is, that the Pope is allowed to have more power in Ireland than he is possessed of in other Catholic countries; and by appointing the Catholic Bishops, he maintains that supremacy in the Church which of legal right belongs only to His Majesty. I confess this objection has much weight with me—and I can see no reason why the Catholics should not come prepared to concede some of their prejudices, when they call upon us to concede ours. This, in fact, seems to be the grand obstacle to the concessions they wish for; and I am not without sanguine hopes that it may be removed. Upon this subject I made it my business to converse with some Catholic Gentlemen of no small authority, and asked them whether they would have any objection to the Bishops of their persuasion being nominated by His Majesty instead of the Pope? And they all agreed that they could have no objection to it. What I should propose would be, that hereafter, whenever a see was vacant, the other Bishops should assemble, and choose two or more candidates, whom they would recommend to that appointment, and leave the choice of the person to be determined by the King. Indeed I have good reason to believe, that, if the prayer of the Petition was granted, the Roman Catholics would cheerfully give up that point (*A cry of Hear! hear! from Mr. Fox, and those Members who surrounded him*), as well as make whatever other

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reasonable sacrifices the circumstances of the case may be thought to require; for I must maintain, that they can have no right to seats in Parliament, while they continue to take their Bishops from the hands of any foreign power. I cannot, however, but think that the Catholics would be very well satisfied with this arrangement, and I make but little doubt that many of the opposers of their emancipation would relax in resistance, and consent to agree to it, upon this condition. To speak plainly indeed, I should wish to ask of the Honourable Gentleman (Mr. Fox), who must be in the confidence of these Gentlemen, by their selecting him to present their Petition, to what extent the Catholics would go in this respect, and what are the points which they would have no objection to give up? I hope the House will bear in mind, that when these Roman Catholic laws were passed, they were not directed against the Catholics as such, but were laws enacted against Popery and Slavery; for James II., who was the source of them all, was himself a tyrant and a bigot. The laws, therefore, wore a double aspect, as intending to protect the subjects of these realms sgainst both. As to the prospects generally attributed to Roman Catholics, for the subversion of property in Ireland, I am, in my own mind, perfectly convinced that they do not entertain the most distant idea of ever restoring the estates that were confiscated from their ancestors. The best proof, perhaps, that could be given of this is, that since the Roman Catholics of Ireland have been allowed the liberty of purchasing lands, they have almost invariably been solicitious of purchasing those that formerly belonged to their forefathers, which they certainly would not do if they cherished the hope of ever receiving them back in any other manner. I once very strictly inquired of a lawyer in Ireland, a Mr. Sankey, who was very much employed in making these purchases of forfeited estates,

whether he knew any instance of the descendants making any objection to the tenures by which such forfeited estates were held? His reply was, that he never once knew a single instance of it. It is a vulgar error into which the Learned Gentleman (Dr. Duigenan) has fallen, when he told us that the Catholics of Ireland had maps, by which they could trace the boundaries of the estates once possessed by their ancestors, in the expectation that they would, on some future day, have an opportunity of reclaiming them. The fact is, Sir, that the map of all these forfeited lands is kept by the Auditor in the Castle of Dublin, is accessible to every man who chooses to inspect it, and is daily produced in the Courts, to ascertain disputes respecting boundaries. The history of this map is pretty well known. It was drawn by Sir William Petty, after the old one had been taken away by King James II., and carried into France, where an accredited Agent from this Government (General Vallancy) was some time since sent to procure a copy of it; it is comprised in twenty-four folio volumes:—and from this it will be seen, how idle the story is, that Catholics are at the trouble of keeping maps privately, with sinister views, when the real one is accessible to any one who applies for it. The great point then, Sir, which I have in view, is to show, that, as the Reformation, now in existence nearly 300 years, has hitherto made such slow progress in Ireland, (for there are still three millions of Catholics in that country unconverted,) hence it is obvious that the system you have adopted has failed of its effects, that it must of course be wrong, and that it is high time to change it. The surest method we can take to advance the Reformation is, by treading back the steps of our ancestors, and by undoing much of what they have done. If then we are to measure back the steps of three hundred years, we cannot be surprised if much time shall be required in advancing. One thing, how-

however, is clear; that if we expect to convert three millions of people into good Protestants, it must be done by argument, and not by force. This great question has now for the first time come before us — and I trust the full discussion it has undergone, and the moderation and sound argument displayed by its advocates, will not fail to have their due weight, and to conquer in due time here, as they have before done in Ireland, the prejudices existing against a measure, which, I am thoroughly convinced, would consolidate the strength, unite the attachments, and render impregnable the security of these Realms.

Sir WILLIAM SCOTT, after some preliminary observations.—"The Hon. Mover of this question has affected to distinguish between the Civil and Religious Institutions of the country, as if they were capable of complete separation: the practice, however, of all civilized States, has fully demonstrated that they are so intimately united, that to attempt to sever them would be in reality to destroy them. A luminous and eloquent political philosopher (Mr. Burke) entertained ideas directly opposed to such a doctrine. 'The attachment (he says) of the Religion of the State, with our Civil Establishment, reigns throughout the whole of English policy; not merely as conjunctive, but as inseparable; not as what may be laid aside, but as that, the union of which is the foundation of the whole Constitution.' They are so far joined, that the idea of the one almost necessarily impresses upon us the recollection of the other; and Church and State so imperceptibly flow into each other, that the connexion, even to the organ of speech, is perfectly familiar. This fraternal relation is not a novelty in our history, it grew up in the most early periods of it, and was firmly combined in those times when the liberties of this nation were effectually secured. After our sacred institution had endured many desperate assaults, it rose with renewed

newed strength from the conflict, and we were destined to enjoy the blessings not only of a free but of a Protestant Constitution. In the same character in which the Sovereign appointment was given, in which the rights of the subject are declared, it was said, This kingdom shall be for ever Protestant. And "*Esto perpetua*" is the earnest prayer I shall offer for the safety and happiness of my country. But the principles now advanced are calculated not to preserve, but to impair the Constitution we have received from our ancestors, and to sacrifice to experiment the invaluable privileges by which we have been hitherto distinguished. By what provisions is this Constitution to be secured? By the fundamental laws of the country. What are these laws? The King must be a Protestant. He can marry none but a Protestant. Was this to lull to repose the conscience of the Sovereign? Was it for his personal comfort in this life, or his happiness hereafter, that these restrictions on his very thoughts were ordained? Certainly with no such design: it was for the protection of these Realms from the dangerous consequences of Catholic innovation. It was, in such a country as this, guarded by such Legislative precautions, with regard to the opinions of the Prince, that if no distinct provisions had been made, the general maxims resulting from established law would be, that all the Great Officers of State assisting the Monarch in the discharge of his high functions should be Protestants. It was required, that the Supreme Magistrate should be of that persuasion; and were not the representatives of his august power to entertain the same religious sentiments? In order to preserve the system inviolable, it is not only expedient, but necessary: whatever may be the situation or the policy of other States in this particular, in England it is prudent, from peculiar circumstances, to preserve this restraint; because, from the nature of our limited Monarchy, the Incumbent of the Throne may be in the exercise of a very small

portion

portion of power; almost the whole actual authority, and the entire responsibility, may be delegated to his Ministers; and what would be the perils that might await us, if they were the slaves of the Catholic superstition? It is on such grounds that I consider it not a matter of doubt, but of conviction and certainty, that to permit these privileges to be extended to persons of the Romish Faith, would be to infringe the fundamental maxims of our Glorious Constitution. A Protestant King, surrounded by Catholic Ministers, would be a solecism in fact, as well as in law; for there must be a perpetual contradiction between the duties of the one and the other. It is an important function of the Great Officers of State to attend with zeal and vigilance to the protection of our Church Establishment; but how could this obligation be discharged by those who deem it to be absurd, pernicious, profane, and fanatical? It is true, I am not enabled, as many others are, from intimate and local knowledge, to speak to the present question; but if the premises I have assumed are at all correct, the objection to the motion before the House is paramount to all the inferior circumstances of accident and locality. The Honourable Gentleman (Mr. Fox), in his introductory address, told the House, that from some unfavourable events, the grants already made had not produced the effect that might have been naturally expected; and this disappointment he used as an argument for new concessions. In my mind, it operates in a way precisely the reverse: if what has been already given has not been beneficial to the persons to whom the donation was extended, there is little expectation that by them any future advantage from the present proposition will be derived. An Honourable Member, who is an eloquent advocate of the cause he asserts, (Mr. Grattan,) has intimated there would be danger of separation between the Sister

Islands, if this motion were rejected. In such a declaration he may have said much for the courage, but very little in favour of the loyalty, of the People of Ireland. I had hoped we should rather have seen some proofs of their gratitude and attachment for what has been conceded, than any indications of disgust and alienation for what is withheld. If I may make a comparative observation on the feelings of the Catholics of the two countries, I should discover the disposition manifested by the English Papists as much the more honourable, although the laws now complained of are more onerous to the English than to the Irish of that profession. The proportion of Gentlemen of distinguished families, who are Catholics, is much greater among the former than among the latter; and hence the laws which restrict them from the executive and legislative situations are to them peculiarly severe. It has been said, that the subjects of that persuasion are deprived of their civil rights. True it is that one of the Princes of the House of Stuart has been driven from the Throne for misconduct; but upon what principle were his successors excluded? It was because they were attached to the Popish Religion; the Protestant Faith has become a necessary part of our Constitution, and we could not be governed by those who were inimical to it. The House has heard much of virtual representation, and it is pretended the Catholics of Ireland are not represented; but nothing is more manifest than that they are admitted to the complete exercise of the elective franchise: and in this respect, at least, they enjoy every privilege possessed by Protestants. I have understood that the Honourable Mover of this question is preparing the History of a very important and eventful period in the annals of this country. The favourite chapter, to which I should direct his attention with peculiar pleasure, would be that in which so enlightened an author must

must contemplate the benign effects of the Protestant Religion, as conducive to the peace, order, and happiness of the community, and to the integrity and glory of the British Constitution. The true question now is, if the privileges granted to Catholics are to be extended? The Parliament of Ireland has acted with great wisdom in regard to this inquiry, and has granted to them all that was either necessary or discreet. But the Honourable Gentleman, on the contrary, says, Because we have given so much, we ought liberally to make them a present of the rest. The converse of this I shall rather maintain, because he cannot consider former generosity as a just motive for future prodigality.—However, if more should be fit to be conceded, a reason less inconvenient might be easily discovered for the donation. The discretion of our ancestors has erected a strong barrier to protect the Constitution; but we are now required to admit the Catholics, and for this purpose to hurl down this stupendous monument of their industry and wisdom; to which I can never agree.

Mr. GRATTAN explained that he had not intimated the probability of any separation of the two countries, if this motion were rejected.

Sir W. SCOTT said, he certainly so understood the Honorable Member.

Mr. GRATTAN.—"I said, If the Parliament assented to the calumny propagated, that the Catholics were traitors to their King and Country, it would lay the foundation of such a separation. It was not the rejection of the Petition, but the adoption of the calumny, to which I adverted."

DOCTOR LAWRENCE.—It is with regret, Sir, I differ, on any ſubject, from my Right Honourable Friend who has juſt ſat down. But whatever ſatisfaction I ſhould feel in agreeing with my Right Honourable Friend on other occaſions, I ſhould indeed be ſorry if I did not differ from him in the preſent. I could not look with the ſame pleaſure to our happy Conſtitution, which is juſtly the pride of this Country and the envy of the world, if I could ſuppoſe it compatible with its principles, or conſiſtent with its practice, that ſo great a proportion of my fellow ſubjects ſhould be held at the ban of the Empire, and eternally excluded from the moſt valuable of its privileges. It appears to me a moſt glaring inconſiſtency on the face of it, that an equality of rights and of protection ſhould be denied to the Catholics, at the ſame time that an equality of duty and allegiance is demanded from them. My Right Honourable Friend has drawn arguments in ſupport of his opinion from the principles of our Conſtitution, as laid down in the Charter of the glorious Revolution. But here my Right Honourable Friend has not exerciſed his uſual fairneſs and candour. He has quoted only that part which favours his own poſition, and does not at all apply to the preſent queſtion, but has paſſed over that part of the Charter of the Revolution which directly applies to the ſubject under diſcuſſion. The argument, as put by my Right Honourable Friend, appears to me a ſophiſm. He ſays, that the fundamental principle of our Conſtitution, as eſtabliſhed at the Revolution, is, that we ſhould have a Proteſtant King, and a Proteſtant Legiſlature; that every member of every branch of the Legiſlature ſhould be of the eſtabliſhed Religion. Does my Right Honourable Friend, then, mean to ſay that all ſects who proteſt againſt Popery are of the eſtabliſhed Religion? Does he mean to ſay, that Socinians, Arminians, Arians, Zuinglians, Calviniſts, and the ſeveral other ſects, who are all Proteſtants, are of the eſtabliſhed Religion? I am ſure he does not; and yet, if not puſhed to that extent, his argument proves nothing, the Catholics not having been the only deſcription of ſubjects excluded from political power. Amongſt other authorities in ſupport of his poſition, my Honourable and Learned Friend has quoted that of a venerated friend of mine, now no more (a friend whoſe loved memory will be ever dear to me, whoſe virtues and whoſe talents no length of time can obliterate from my eſteem, and whoſe loſs his country has ſo much reaſon to deplore:—and in thoſe feelings I am ſure my Right Honourable Friend participates.)—But though that great Statesman admitted that Religion was worked up into the very frame and eſſence of our Conſtitution, yet I deny that this Religion was, in his opinion, of an excluſive kind; for, ſo far from

from its excluding the Catholic ſyſtem from its charity and beneficence, full one half of the work from which my Right Honourable Friend has quoted the opinion,—namely, the work on the French Revolution, is occupied in extolling the profeſſors and miniſters of that Church. The principle upon which is founded that doctrine of the Revolution, that we ſhall have a Proteſtant Family upon the Throne, is, that we ſhould have a Sovereign to govern by the Laws of God, and according to the Conſtitution of the Country.

From the attempts that had been made to overturn that Conſtitution by James II. who was a Popiſh Prince, it had been deemed neceſſary, and was no doubt wiſe, to exclude the Catholics of this country, for a time, from any ſhare in the Government or the Legiſlature under the Monarch who ſucceeded him. But though the excluſion took place in this country, it was not in the firſt inſtance extended to the Catholics of Ireland. They were left by the Revolution in the poſſeſſion of thoſe Parliamentary Seats, thoſe Civil Rights, and conſequently of the full proportion of that Political Power. And why was this diſtinction made? Becauſe, as we find by the Correſpondence of the Duke of Ormond, who was at the time Lord Lieutenant of Ireland, the ſtatutes againſt the Catholics, as applied to the Catholics of Ireland, would be ſome of them cruel, others unjuſt, and others unneceſſary: for the Catholics of Ireland held ſeats in both Houſes of Parliament, and high places in the State, during the reigns of Edward VI. Elizabeth, James I. Charles I. and Charles II. down almoſt to the end of it; when in conſequence of what is called Oates's Plot (which every man of ſenſe and learning now knows to have been a moſt infamous and barbarous forgery), the act of the 30th of Charles II. paſſed in a moment of delirium, to exclude them from ſuch ſituations. According to the ſpirit and letter of that act, it was no leſs neceſſary to guard the Church againſt Diſſenters than Papiſts: yet one of the firſt acts of King William was to modify the Teſt Oaths, in ſuch a manner as to admit Diſſenters in Parliament. But this was not all, for by the articles of Limerick King William actually granted to the Iriſh Catholics all the rights and privileges which they had previouſly enjoyed; in a word, all and more than all they now petition for: and at a ſubſequent period, after the temper and politics of the times had ſubjected them to moſt of thoſe reſtrictions from which the humanity and juſtice of his preſent Majeſty, and the wiſer and more beneficial policy of the preſent times, have relieved them, that renowned Monarch, by and with the advice of the great ſtateſmen by whom he was ſurrounded, and particularly that of the very Lord Somers whoſe authority as the ground-work of the Conſtitution

tion has been ſo often appealed to, formed and digeſted a plan for removing thoſe reſtraints and diſabilities impoſed upon them; which plan failed of ſucceſs, in conſequence of ſome external circumſtances which prevented the holding of the Congreſs in which it was to have been propoſed; ſo that the opinion of that great King and profound Stateſman William III. was moſt undoubtedly adverſe to Penal Reſtrictions. This was alſo that of Somers and the other miniſters of that Monarch, who had taken ſo diſtinguiſhed a part in effecting the Revolution; and it was the neceſſity of the caſe alone, that, under the exiſting circumſtances, could induce them to ſanction ſuch meaſures. If that King and thoſe Miniſters were now living, they would not heſitate to remove every diſability from the Catholics, and reſtore that reſpectable and loyal body to the full enjoyment of their conſtitutional rights. The privilege of ſitting in either Houſe of Parliament, and all the executive offices of truſt, were, in the firſt inſtance, taken from the Catholics by the laws enacted againſt them. In conſideration of their loyalty all theſe ſtatutes were afterwards repealed, except that which deprived them of the right of ſitting in Parliament; and they were given to underſtand, that if they behaved well on this favour, they might afterwards pretend to further favour. It has been objected, Sir, againſt granting the juſt claims of the Catholics, that they will not take the Teſt Oaths; but I am ſure this Houſe will never ſubſcribe to the principle of forcing men's conſciences. If the Roman Catholics have been and are loyal, is not that a ſufficient argument for giving them a more valuable intereſt in the Conſtitution? Will you not for that reaſon admit them to the full participation of all the rights and privileges of Britiſh ſubjects? The Hon. and Learned Attorney General ſays, Never. If that be his opinion, why does he not act upon it? Why does he not move for the repeal of all the meaſures for relieving the Catholics from diſabilities, and for the re-enactment of all the reſtrictive ſtatutes? In conſiſtency he is bound to do ſo; for the argument he uſes againſt the preſent claims of the Catholics, will equally apply in ſupport of a motion for renewing all the former diſqualifications. I confeſs I view the preſent queſtion in a far different light, and truſt that the good ſenſe of the Houſe and of the Country will go with me. I am ſure I have the authority of all the events from the reign of Elizabeth down to the preſent moment to juſtify me in differing from that Hon. and Learned Gentleman. The opinions I entertain on this ſubject are ſtill further ſtrengthened by the authority of King William, of Somers, and of the other able ſtateſmen who compoſed the enlightened adminiſtration

niſtration of that great Monarch. But the Learned Gentleman argues, that if we were to comply with the preſent claims of the Catholics, we ſhould ſoon witneſs that anomaly in our Conſtitution, a Proteſtant King with Catholic Counſellors. I confeſs I am at a loſs to diſcover the juſtice or the validity of ſuch an argument. When we unfetter the Royal Prerogative, does it follow that we force upon His Majeſty Catholics for his miniſters and counſellors? Does it follow, that, by extending the ſphere of His Majeſty's choice, in the ſelection of his confidential miniſters, or the appointment to places of power and truſt, to ſo numerous a claſs of our fellow ſubjects, we force any deſcription of perſons upon the Throne? There is another claſs of ſectariſts, to which the Hon. and Learned Gentleman does not feel the ſame objection, I mean the Preſbyterians, whom I look upon as at leaſt equally dangerous with the Catholics —if dangerous they be. The Catholics are ſaid to be dangerous to the Conſtitution only from their rules of diſcipline; but the Preſbyterians are dangerous from their republican principles; yet I am ſure that both may be equally ſerviceable in their proper proportions of political weight and influence. My Right Honourable Friend argues againſt the preſent Petition, becauſe the Catholics of this country have not preferred any claims. The ſituation of the Catholics in Ireland is widely different from that of the Catholics of this country; and, even if it were not, will it be contended, that if the Catholics of this country ſhould never bring forward any claims, the Catholics of Ireland ſhould for ever abandon their equitable rights and juſt pretenſions; or that theſe, in preferring their claims with moderation and ſubmiſſion to the Legiſlature, ſhould be ſuſpected for improper motives, and charged with extravagance in their demands, becauſe another body of Catholics had not come forward with a ſimilar application? Here I cannot help taking notice of what fell, in the courſe of laſt night's diſcuſſion, from the Learned Doctor, who opened the oppoſition to the Motion of my Honourable Friend, in commenting on a paſſage from a late publication. It is the more neceſſary to animadvert upon this part of the Learned Gentleman's ſpeech, becauſe his obſervations were calculated to caſt a reflection on the character and moral principles of a very reſpectable member of the Catholic Body now living [Rev. Doctor Milner]; and the charge of that learned Gentleman is wholly unwarranted either by the letter or the ſpirit of the paſſage of the publication upon which he commented, ("The Caſe of Conſcience ſolved, or Catholic Emancipation proved to be compatible with the Coronation Oath;" publiſhed about four years ſince, when the difficulty which is underſtood

underſtood to agitate the Royal Mind was firſt impreſſed upon it.) The definition of an Oath, on which the Learned Doctor has been ſo pointedly ſevere, is, if it had been fully and fairly quoted, ſtrictly true, and accurately conformable to the moſt rigid principles of ethics and morality. Without the context it is impoſſible to judge of any paſſage correctly, and in this paſſage the learned author of that pamphlet has expreſsly ſtated the four caſes in which Canoniſts deny the validity of Promiſſory Oaths, namely:—*When the object of them is unlawful.—When the object obſtructs any good evidently greater.—When it is impoſſible to be obtained*; and laſtly, *When it relates to ſome ridiculous idle thing, which neither tends to the honour of God nor to the benefit of man.*—And I perfectly concur in the poſition laid down by that Learned Gentleman, "That every human law and every promiſe or other engagement, however confirmed by oath, muſt neceſſarily turn upon the cardinal virtue of prudence, which implies that it depends as to the obligation of fulfilling it, in ſuch and ſuch circumſtances, upon the queſtion of expediency:" but this prudence, in the acceptation of Dr. Milner and of ethical writers in general, is not a ſelfiſh principle which employs itſelf in weighing intereſt againſt duty, but a virtuous principle which weighs one duty with another when they ſeem to be oppoſite, and decides which of them, *hic et nunc*, is to be fulfilled: a principle not variable with the caprice or intereſt of a ſect, or of the individual, but unchangeably founded upon the eternal baſis of truth and juſtice. The falſe and wicked deductions drawn by the revolutionary Jacobins of France, from the maxim of conſidering "the immutable laws of Nature and of God as paramount to all ſubſequent obligations," form no argument againſt the maxim itſelf; as in fact the conſcientious obligation of every human law muſt reſt upon this eternal and immutable law of Nature and of God, or it can reſt upon no principle at all. Suppoſe, for inſtance, in the caſe of a man having bound himſelf by oath to deliver a ſword or other deſtructive weapon to his friend, he ſhould, at the moment when he is about to preſent it, *prudently judge* that his friend intends to make a fatal uſe of it, either for his own deſtruction or that of ſome other innocent perſon—[Attorney General acroſs the table, "I admit that in ſuch a caſe an oath would not be obligatory."] But I muſt tell the Honourable and Learned Gentleman that this is not a caſe of my own imagination, but the identical caſe which Dr. Milner has propoſed, by way of illuſtrating his doctrine concerning the prudence to be adopted in conſidering the obligations of Oaths; to which ſo much objection has been made. [Dr. Lawrence here read a paſſage from the

pamphlet which he quoted; and, after ſome able comments, obſerved, "Hence then it muſt appear how neceſſary it is that the Houſe ſhould not ſuffer its judgment to be led aſtray by garbled and partial extracts from any pamphlets or works whatever." (Mr. Pitt here nodded a marked aſſent to the poſition.) In this view I contend that the definition is correct and unexceptionable; and that the paſſage, when conſidered with the context, means only, what no moraliſt can deny, that any obligation of a mere human nature, is not binding when contrary to the fixed and immutable laws of God. The Learned Gentleman, Sir, has alſo uſed the ſame meaſure of candour and impartiality in his quotations from the writings of other living characters, namely Dr. Troy and Mr. Plowden, whoſe aſſertions, in their reſpective productions concerning the unchangeable nature of their church, apply merely to her doctrine and not to her diſcipline. In fact, truth, which is the ſubject of doctrine, is ever immutable; whereas rules for men's conduct in certain ſituations, which are the ſubject of diſcipline, muſt vary with ſuch ſituations and circumſtances. The ſame ſpecies of candour has marked the arguments of the Learned Doctor with reſpect to the decrees of the Council of Lateran, not one of which applies to the preſent queſtion. The Council of Lateran took place ſome centuries before the Reformation; and conſequently its regulations, which were almoſt excluſively framed for the diſcipline of the Church, cannot afford any authority on a queſtion reſpecting religious differences not in exiſtence at the time, nor till ſo long a period after. The Learned Canoniſt might be expected to have acquired more accurate and comprehenſive ideas on a ſubject which forms the matter of his profeſſional duty, and the ground of his judicial decrees almoſt every day in the week; unleſs perhaps it is that thoſe excellent canons, contained in the ſaid Lateran Council, for regulating the religious and moral behaviour of clergymen, in a great variety of particulars, might appear to the Learned Canoniſt too ſevere to be enforced by him, and therefore may have indiſpoſed his mind for the ſtudy of the ſaid canons. However this may be, the decrees of that Council contain very little in point of doctrine, namely, what occurs in the firſt and ſecond canons only, which therefore conſtitute the whole matter that is conſidered by Catholics to be of a fixed and irreformable nature. The firſt canon conſiſts of a profeſſion of faith, in oppoſition to the prevailing hereſy of the 13th century, which begins by acknowledging "one only God, the Crea-" tor of evil as well as of good ſpirits; the maker of our " bodies as well as of our ſouls; the giver of the law of " Moſes, as well as of the law of Chriſt;" and which ends

by defining that " married perſons, no leſs than thoſe who " are unmarried, may by proper diſpoſitions conduct and " render themſelves pleaſing to God and inherit the king- " dom of Heaven." The ſecond canon relates ſolely to the viſionary ſyſtem of a certain Abbot Joachim in Calabria, who had eſtabliſhed a ſort of quaternity in the Divine Nature. The abſurd hereſies of this weak and deluded, though otherwiſe good and exemplary man, were condemned and anathematized: but every ſort of forbearance and reſpect were ſhown towards his perſon, character, and the monaſtery over which he preſided. It was in its third canon only that the Lateran Council proceeded to enact ſevere and perſecuting laws againſt the prevailing heretics of the times, namely the Albigenſes; but then the character and conduct of theſe heretics are to be conſidered. They were turbulent, ſeditious and immoral. As ſuch they were condemned to capital puniſhment, in the ſame manner as the followers of John Ball afterwards were in England; and as the Albigenſes would equally be in this age and country: not becauſe they were conſidered as heretics, but becauſe they were really rebels, who had actually murdered a Lord Chancellor, a Primate and a Treaſurer of England, and who had reſolved to murder every man of rank or eminence in Church or State. Again, the authority by which the Council of Lateran decreed temporal pains and confiſcations is to be conſidered; namely, they ſpoke by the authority of the Latin and Greek Emperors, of the Kings of England, France, and of moſt of the States of Europe, who were preſent in perſon or by their ambaſſadors, in the ſaid Council, and thereby gave this canon whatever force, which, even in the 13th century, it was ſuppoſed to poſſeſs. How little force was contained in the mere thunder of excommunication, the only weapon which the Pope himſelf, as Pope, was poſſeſſed of, as to temporal affairs, the Honourable and Learned Doctor might have recollected from a contemporary tranſaction in our own country, when Stephen Langton, who had been appointed to the archiepiſcopal ſee of Canterbury by the Pope himſelf, having been excommunicated with a number of the great Barons of the realm, at the inſtance of King John, for extorting the boaſt of our conſtitution, MAGNA CHARTA, from that inconſtant and perfidious monarch; yet the ſaid Primate continued to hold on his courſe in a matter which he was conſcious no way related to the papal tribunal; ſo that the cauſe of liberty triumphed, by the joint concurrence of the churchmen and the laymen of the period referred to. And it is further worthy of remark, that it is to that Council of Lateran we are indebted for another great branch of our conſtitutional

conſtitutional liberties, namely the TRIAL BY JURY. One of its canons enjoined the Prieſts every where to preach againſt the ſuperſtitious and abſurd trials by fire and water; and our anceſtors, in conſequence of this interpoſition of the Church, ſubſtituted that admirable inſtitution for the promotion of impartial juſtice, the Trial by Jury. Dr. L. made ſeveral other learned and ingenious obſervations on the Lateran Council. "With reſpect to the Council of Conſtance, which was held two centuries after that of Lateran, and one century before the beginning of the Reformation, I deny that it any where reaches the execrable doctrine alleged, concerning the lawfulneſs of breaking faith with heretics. On the contrary, I aſſert that this was nothing more than a deduction which the enemies of the Catholics drew from the tranſactions of that Council; and with reference to the caſe of John Huſs, quoted by the Learned Doctor, I aſſert, that he was barely excommunicated by the Council, and that in the very ſentence of his excommunication the Council acknowledged that it had no power of going beyond this ſpiritual cenſure; that the capital puniſhment inflicted upon him, was inflicted by the magiſtrates of the free imperial city of Conſtance; that the ſafe-conduct with which he came to the Council, of whatever tenor that might be, namely, whether a mere travelling paſſport or otherwiſe, was granted to him by the Emperor Sigiſmund; and that whatever incidentally paſſed in the Council (becauſe certainly nothing of this ſort was therein formally defined) with reſpect to the nature and validity of ſafe-conducts was of a general nature, and no more regarded perſons accuſed of hereſy, than other perſons who were liable to be brought to trial on any other account whatever. In proof of this, I ſay, that the very Pope who convened the Council of Conſtance, and who was afterwards depoſed by it, though furniſhed, by the ſame Emperor Sigiſmund, with a paſſport of the ſame tenor with that in the poſſeſſion of John Huſs, nevertheleſs thought it neceſſary to have recourſe to flight for the ſecurity of his perſon when he ſtood in the character of an impeached man; being conſcious that it could not avail him, in caſe of conviction, notwithſtanding that the crimes of which he was accuſed were very different from that of hereſy. I have been induced to advert particularly to theſe points in the Honourable and Learned Member's ſpeech, becauſe, from the nature of my profeſſional purſuits, I had occaſion to attend to ſuch ſubjects particularly, and becauſe it is not likely that gentlemen ſhould be familiar with them. I have done ſo for the purpoſe of expoſing to the Houſe the line of argument that has been purſued and ſo much dwelt upon; and alſo as a warning to gentlemen

in future, to be cautious how they deal thus partially in abſtruſe learning ; or quote ſcraps of pamphlets for the purpoſe of making them the grounds of unfounded charges againſt bodies or individuals. But, Sir, quitting thoſe remote ages, let us come down to our own times, and recollect that we are not legiſlating for Catholics in the twelfth or fifteenth centuries, whatever might have been their opinions in thoſe times, but for Catholics in the preſent day ; and therefore let us judge of them as they really are. Have they not pledged themſelves to their loyalty and attachment to your government and conſtitution, by every Teſt the Legiſlature has propoſed to them ; by every ſolemn aſſertion that can bind the veracity of man ? Have they not as ſolemnly diſclaimed and abjured all thoſe abominable and unſocial principles ſo repeatedly charged againſt them, in ſpite of their oaths and proteſtations ? Have we not virtually acquitted them of thoſe odious charges, by all the ſucceſſive Acts that have paſſed for their relief ; and formally pronounced that acquittal in the preambles to ſome of thoſe Acts—and eſpecially in that of the Iriſh Act of 1793 ? Have we not the experience of the good and beneficial effects of the meaſures hitherto adopted for the relief of the Catholics from the diſabilities under which they laboured, to guide our judgment on this great queſtion ? Have not the Catholics proved by their loyalty and good conduct, that they juſtly merited the alleviations they received ; and ſhall we be told, that their conduct will or can be different, if you remove every remaining diſqualification, and make them participators in all the bleſſings of the Conſtitution ? The poſition is monſtrous, and as ſuch I truſt will meet no countenance from this Houſe. But, Sir, if it were poſſible that any rational doubt can ſtill remain upon the ſincerity of the Catholics in the ſolemn teſts they have given of their principles, in direct oppoſition to the unfounded charges againſt them, upon the pretended authority of antient Councils : if any man can ſtill ſuppoſe they hold the monſtrous doctrines, that no faith is to be kept with Heretics, or perſons of a different perſuaſion ; or that the Pope may abſolve Catholic ſubjects from their allegiance to Proteſtant Princes—I can refer to the authority of Councils too, that are infinitely better authority on theſe points than any arguments, aſſertions, or garbled quotations, that have been urged in the courſe of this debate, to maintain that the principles of the Catholics bely their oaths : or that in taking thoſe oaths they have exaggerated all their other crimes by the addition of perjury. I can refer, Sir, to the anſwers given by the firſt Catholic Univerſities in Europe on theſe points, to the queries put in 1789, at the particular inſtance of a Right Honourable

Honourable Gentleman on that ſide of the Houſe, then and now at the head of His Majeſty's Councils. I mean, Sir, the univerſities of the Sorbonne at Paris, and thoſe of Louvaine, Douay, Salamanca, and Valadolid, all of which expreſs the higheſt aſtoniſhment that ſuch opinions ſhould be conceived to be maintained by the Catholic Church, and denying in the moſt ſolemn manner that *any* ſuch opinions *ever* were at *any* time, *antient* or *modern*, *any* part of the principles of that Church. (Vide Appendix to this Debate.) Convinced therefore, as I am, of the juſtice, the ſound policy, and the expediency of granting what this petition requeſts, I think no gentlemen can conſiſtently vote againſt the motion of my Honourable Friend, but thoſe who think an eternal bar, an eternal ſyſtem of excluſion of the Catholics, ſhould be adopted. As there may poſſibly be a difference of opinion reſpecting the preciſe amount of the grants that ought in this inſtance to be made to the Catholics, the Committee will be the proper place to adjuſt ſuch difference; and all who think that any thing ſhould be granted muſt, on principle, therefore, vote for the Committee. When we are in that Committee, Sir, and more minutely to examine the ſeveral points of which the petitioners complain, I am confident there will be ſome of them found ſo peculiarly oppreſſive, that this Houſe will never agree to their perpetuation. When I recollect, Sir, that two hundred thouſand brave Iriſh Catholics defend our Empire, and aid in the extenſion of its power and glory, by ſea and land, and who, nevertheleſs, are the only deſcription of His Majeſty's ſubjects that are not now free to ſerve God according to the dictates of their own conſciences; nay who are conſtrained by the dread of corporal puniſhment to practiſe another kind of worſhip repugnant to their opinions and their habits,—ſurely there is no ſerious Chriſtian of the preſent age who will approve the exiſtence of ſuch religious intolerance, nor any wiſe politician who will wiſh for the continuance of ſo pregnant a ſource of diſcontent in our navies and armies. The Catholics of this country too labour under grievances extremely oppreſſive, in conſequence of their religious opinions on one hand, and the ſtate of the laws on the other with reſpect to the important article of marriage: this, in their ſyſtem, is an awful ſacrament, which therefore requires to be performed with peculiar ceremonies, and by the miniſters of their own religion. On the other hand, the Marriage-Act does not recognize the legal validity of marriages ſo performed, however willing and deſirous the Catholics are to enter into the ſpirit of that act, by obſerving all the conditions that have been or may be enjoined to give due publicity to them,

or however in fact they may actually obſerve them. This they muſt feel in a more ſenſible manner, in as much as there is an expreſs clauſe in the Marriage Act, for exempting *Jews* and *Quakers*, who have peculiar ceremonies of their own, from its operation. The miſchief, however, of this ſtate of things, it is obvious, does not reſt with the Catholics, but is matter of high concern to the general cauſe of morality; in a word, it conſtantly occaſions much private miſery, and frequently much public ſcandal. On theſe grounds, Sir, I ſhall moſt conſcientiouſly vote for the motion of my Honourable Friend, and I truſt that the deciſion of the Houſe will be ſuch as will be worthy of its liberality, and honourable to the character of the Parliament and of this Country.

Mr. FORSTER.—Sir, I ſhould not trouble the Houſe even for the few minutes I feel it neceſſary to treſpaſs on their attention, did I not feel that my ſilence on the preſent occaſion would be inconſiſtent with the part I have taken on a former occaſion, and in another place (the Iriſh Parliament). From what has been ſtated by many Members who have ſpoken in the ſupport of this motion, and alſo by the Honourable Member who has ſpoken laſt, many perſons will be led to think that there are ſtill exiſting many ſevere laws againſt the Catholics of Ireland.—Will the Houſe allow me to ſtate what thoſe laws are? Do not the Catholics of Ireland poſſeſs as free liberty for the acquiſition, the enjoyment, and the diſpoſal of property; do they not enjoy as fully their perſonal ſecurity, and the exerciſe of their religion, as any of His Majeſty's Proteſtant ſubjects? Are they not as fully entitled to civil liberty as any other deſcription of His Majeſty's ſubjects? What do they deſire by this Petition? Not civil liberty—not protection to property—not the free exerciſe of religion;—all thoſe they have: but they deſire political power:—this is all that remains for you to beſtow; of all the reſt they are in complete poſſeſſion: and it is acknowledged by thoſe who have brought forward and ſupported this Petition, that political power is now their only object; in every thing elſe they are as free and independent as any other claſs of their fellow ſubjects. *(No! No! No! from the Benches of Oppoſition.)* If I am thought wrong, I am ready to go through the whole catalogue of civil claims, and to prove they are already granted. You are now deſired to judge of the future by the paſt, and upon this ground you ought to grant them political power:—and what is the inducement? They tell you, that if you coincide with their propoſitions you will incorporate their collective ſtrength with yours. That the population of your formidable enemy amounts to thirty-ſix millions, oppoſed to yours which is only fifteen millions; and

that

that by refuſing their claims you deprive yourſelf of *one-fifth* of the national vigour. Condeſcend but to grant their demands, and it will be inſtantly reſtored. Theſe are the kind of reaſons urged by the Honourable Members who have ſo eloquently brought forward and ſupported this motion. Why, Sir, I do ſay thoſe men are already attached to your Government by their zeal and loyalty, and that they have hitherto fought for the country without granting thoſe claims. Are we not told that the Iriſh compoſed a principal and honourable part of the army under Lord Hutchinſon, by which Egypt was vanquiſhed? Is it not alſo proclaimed to the glory of that people, the gallant Nelſon was greatly indebted to their valour in the hour of danger, for the conqueſt he obtained over the fleet of the enemy on the coaſt of that country? Is not the Britiſh army ſupplied with ſome of its moſt courageous recruits from the ſame ſource? Have not the militia behaved well? And are we now to be told that we are deprived, by withholding ſuch conceſſions, of the aſſiſtance of the Iriſh Catholics, to repel the dangers to which the Empire is expoſed, and that we are to give away the Conſtitution in order to obtain that which we have already? Then, Sir, it is urged that the loyalty of the Catholics to the Crown is not unfettered and unconditional but qualified, on the ſtipulation that you muſt grant them now what they had not before. When aſked for ſuch conceſſion, with whom is it they tell you to ſtipulate? Is it with the great maſs of the Iriſh Catholics? Can the meaſure required benefit that maſs? Do the great maſs know what the term emancipation means? I ſtate the fact when I ſay that the Iriſh common people do not know what the phraſe means. Inquire of them, and ſome will tell you it means freedom from rents; others, that it is freedom from tythes; others, that it is exemption from taxes;—and all will give accounts of it palpably contradictory:—but that it is merely to give places and power to thoſe of higher rank, not one in a thouſand of them ever dreams of it. So that it is not the great maſs of the Catholics that ſeek thoſe objects; for they cannot want what they do not comprehend. Is it then the higher orders, whoſe loyalty you are called on to conciliate? Will they thank thoſe gentlemen who pay them ſo bad a compliment, as to ſay that their loyalty depends upon the condition of granting them political power? I will not believe it; becauſe I have the honour to know perſonally and intimately many gentlemen of that perſuaſion, and ſeveral of thoſe whoſe names are ſigned to that Petition; and I know them to be men of as loyal character, as good ſubjects, as virtuous in private as independent in public life, and as ready to come forward

forward in the defence of their King and Country as any other deſcription of His Majeſty's ſubjects. *(Hear! Hear! Hear! from the Oppoſition Benches.)* And I am ſure they would not thank thoſe who pretend to be their friends, and who ſay on their parts that their loyalty is to be the price for granting this meaſure. *(Hear! Hear! Hear! from the Treaſury Side of the Houſe.)* If you come now to conſider what it is that can be granted, the queſtion is fairly this: Will you or will you not grant political power? Can you grant it? I ſay No. It is not in your power. You muſt firſt look to England. The Engliſh Catholics ſtand in a ſituation by no means ſo favourable as thoſe of Ireland.—The Engliſh Catholics cannot vote at elections;—the Iriſh can. The Iriſh have many privileges which the Engliſh Catholics have not. Do you mean to grant to the Iriſh ſeats in this Houſe, and exclude the Engliſh? This cannot be. You muſt firſt put the Engliſh on a footing with their Weſtern Brethren, *(Hear! Hear! Hear! from all ſides of the Houſe,)* and then, if you open to all the Catholics of both countries the ſeats of this Houſe; where, I aſk, is the ſecurity for your Proteſtant Church Eſtabliſhment? Would it not be the groſſeſt infatuation to intruſt men educated in ſuch principles, to frame thoſe laws for the protection of the Proteſtant faith, which it is your bounden duty to provide? Do you allow ſuch a wide diſtinction between Church and State? Who is it that frame thoſe laws, that regulate the rights of the Eſtabliſhed Clergy, and the eſtabliſhments under which their dues are collected? Who is it that forms the laws under which tithes are paid? Are they not the Lords, ſpiritual and temporal, and the Commons of England? And will you fill the Houſe with members inimical to the laws—inimical to your Hierarchy and Church Eſtabliſhment, and who refuſe to diſavow that ſupremacy in a foreign Potentate, which legally belongs only to their natural ſovereign? Are theſe the men to whom you will intruſt political power, and the firſt offices in the State? Let us judge of the future by the effects of what is paſt. In 1778 ſomething was given by the Iriſh Parliament; in 1782 much more was granted; and in 1793 the Catholics aſked for much, and Parliament granted much more than they required. I thought Parliament went much too far: but let that point reſt But let Parliament now grant this, and they will ſhortly find the Catholics will not even then be ſatisfied. And indeed how are we to expect that men will be ſatisfied when raiſed to offices of truſt and ſeats in Parliament, while they are influenced by an active and diſcontented Clergy, who will be equally anxious for eccleſiaſtical power? Can we ſuppoſe the

the former will reſt contented, without looking to the elevation of their own Clergy, and reſiſting the powers of the Church from the Proteſtant Clergy, whoſe advice they will not receive, from whoſe profane inſtructions they turn away in diſguſt? If once you grant the power now required to thoſe men, rely upon it they will ſpeedily come forward with new demands—they will preſently expect equality in your Church Eſtabliſhment. They will not reſt there, but, arguing on the ſuperiority of their numbers, they will inſiſt on making Popery the Eſtabliſhed Religion of Ireland. Such is the natural and neceſſary progreſs.—Again, Parliamentary Reform and Catholic Emancipation were the two watchwords, which always went together, and upon which were founded the late conſpiracies, which ended in the Rebellion of Ireland. A loud clamour was raiſed, and the one would not be endured without the other. I know that I am walking on delicate ground, and if I advance too far, I truſt gentlemen will allow me an opportunity of explaining the motives of my progreſs. I am far from caſting any cenſures upon the Petitioners; on the contrary, I have high perſonal reſpect for many of the gentlemen who have brought this forward. But let me ſuppoſe the Catholics by the vote of this night to acquire ſeats in Parliament, and that they poſſeſs the abſtract right contended for, which it is ſaid can only be withheld under the maxim—'*Salus populi ſuprema lex*;'—if you confer this right on forty or fifty or eighty of them, and that they begin to feel their inferiority in an aſſembly of ſix hundred and fifty-eight members compoſing this aſſembly, will they not ſeek to conſolidate their party, and augment their ſtrength by new political recruits? What will then be the reſult? Will they not argue thus—'The barrier is now broken down, we have our rights of ſitting in Parliament acknowledged: our number is ſmall, but our influence not ſmall, but great, if united in Parliament with any party who will eſpouſe our cauſe.' If they find themſelves unable to ſucceed in this Parliament, they will ſay nothing remains to give effect to this happy change, but to reſtore the Iriſh Parliament. Three hundred Catholic members elected by the popular majority in Ireland will reſume the functions of the Iriſh Parliament. The Proteſtant aſcendency is gone under the Union Act, which deſtroyed the Boroughs, for under that compact the Proteſtant Boroughs were ſuppreſſed, and a compenſation of 1,400,000l. paid to Proteſtant owners, and not one ſhilling to Catholics: (*loud laughter*) the conſequence will be that popular elections will prevail. From the ſuperior numbers of Catholic electors the Parliament will neceſſarily become Catholic,—and in

ſuch a caſe I leave gentlemen to judge how long the ſecurity will continue for the Proteſtant Eſtabliſhment in Church and State, and the connexion between theſe countries. If this were the only objection I ſhould think it quite ſufficient: I feel the full force of thoſe conſequences to be apprehended from ſuch a meaſure, and I tremble for the ſeparation of my native country from that connexion with England, deprived of which I am convinced ſhe would be neither proſperous nor happy.

"Conciliation has been talked of to the great maſs of the people of Ireland. But does any man who goes to Ireland ſay that the people of that country are in general ſo diſaffected, that nothing can ſecure their allegiance but the ſurrender of the Conſtitution? While you are turning your attention to the claims of three millions of Catholics, are you to be wholly unmindful to the rights of one million of Proteſtants, whom your anceſtors encouraged to ſettle in that country, to whom they and you have promiſed protection, who are dependent on you for the ſecurity of their Property, their Liberty, and their Religion, and who, if you do not extend to them your protection, can have no ſafety? Are you to take away from them that protection? Are you to deprive them of the bleſſings of the Revolution, of the Hanoverian Succeſſion, of the Illuſtrious Houſe of Brunſwick, and of the only Guaranty for their Civil and Political Liberty? Is it in the nature of things that you can accede to a meaſure which muſt carry in its conſequences a train of privations and degradations to the loyal Proteſtants of Ireland? What then will become of that Proteſtant aſcendency to which I have alluded, and which has been a favourite topic of complaint, and falſely called a Syſtem of Oppreſſion? What do I mean by Proteſtant aſcendency? Nothing more than a Proteſtant King, Proteſtant Lords, and Proteſtant Commons. I know of none other beyond this. I have never claimed any other, and this, while I have a voice, I will claim for my country.

"Gentlemen have dwelt much upon the aſſertion, that what is now demanded by the Catholics is little for us to grant, and much for them to receive. I deſire to reverſe the poſition; for, in reality, what they aſk is much for us to give, and little for them to receive. They aſk for admiſſion to a few ſeats in Parliament,—they aſk for eligibility to thirty-ſeven places of power and truſt. They aſk us to give up that which they profeſs would not much increaſe their advantages or their power; but we are to confer upon them that which is the ſecurity for our Civil Liberty, that for which our forefathers bled, that on which reſts the ſtrength of our Armies,

Armies, and the ſuperiority of our Fleets,—the Proteſtant Succeſſion, the Bill of Rights, and the whole fabric of our Conſtitution. Do they pretend they aſk you to give little, when they aſk you to ſurrender no more than all the ſecurities for your Liberty? What have you more to give?—What would afterwards remain to you worth preſerving? (*Hear! Hear! Hear! from the Miniſterial Benches.*) An Honourable Gentleman (Mr. Fox) has deſired us to look at the example of other countries, for the employment of Proteſtant Miniſters and Generals under Popiſh Governments; and he refers us to the caſes of Sully and Neckar under that of France. But neither of thoſe men, who were Proteſtants, acknowledged any allegiance to a foreign power:—the Catholics do. Beſides, the Crown of France was not bound by any oath ſimilar to that by which the Crown of England is bound in this reſpect; and therefore the two caſes are wholly diſſimilar. Was the Honourable Gentleman ſerious when he referred us to the caſe of Venice? Does he think we will aſſimilate with a nation embarraſſed by conflicting parties and polemics,—whoſe Government was a mixture of all Religions; and which, though once formidable in the ſcale of nations, is now loſt to the world? I could wiſh that the Honourable Gentleman who brought forward this queſtion, and many of the friends who have ſupported him in urging forward the meaſure, would pay a viſit to Ireland, and ſtay there a few months. They would then be witneſſes to the feelings of the honeſt loyal Proteſtants, and would ſee that they were not wanting in loyalty and attachment, and that they deſerve the protection of Government and the Legiſlature alſo, againſt any further claims of the Catholics. I conceive, Sir, there is much danger in this queſtion. I conſider it as tending to break down the pale of the Crown and the barriers of the Conſtitution; and as this is the firſt attempt, I think we ſhould keep in view the old adage, *Principiis obſta*, and immediately give the Catholics to underſtand that we cannot grant the prayer of their Petition; and, therefore, will not deceive them by holding out any fallacious hopes on a ſubject ſo truly important and intereſting to the whole Empire."

Mr. LEE ſaid a few words in explanation.

Mr G. PONSONBY.—"Sir, having long been acquainted with the great abilities of the Right Hon. Gentleman who has juſt ſat down, I might, perhaps, deſpair of encountering him ſucceſsfully, if I had not previouſly received the aſſiſtance of one who is altogether as able as the Right Hon. Gentleman, and whom I ſhall always highly reſpect—it is the Right Hon. Gentleman himſelf: (*a general laugh*) for I think I can clearly

ſhow that one half of the Right Hon. Gentleman's ſpeech has incontrovertibly anſwered the other. He has told us of the victories of Lord Nelſon and Lord Hutchinſon in Egypt, gained by the efforts and aſſiſtance of Iriſhmen, from which he draws a concluſive proof of the loyalty of the lower orders of the Catholics; and being alſo convinced of the loyalty of the higher orders of that body, he is determined to *reward* it, by—refuſing the prayer of their petition. (*A loud laugh, and a cry of Hear! hear! hear!*) He has alſo informed us what is the Proteſtant Conſtitution—that it is a Proteſtant King, Proteſtant Lords, and Proteſtant Commons—and has moſt emphatically and feelingly pointed out to us the dangers of a Proteſtant King ſurrounded by Catholic Counſellors. But pray, Sir, who is to effect that? The anſwer is obvious. This very Proteſtant King himſelf. It is His Majeſty, who, of his own free will, is to chooſe thoſe Counſellors, who are to introduce the paramount authority of the Pope! Why, Sir, if His Majeſty ſhould unfortunately be ſurrounded by Counſellors of ſuch a deſcription, and they ſhould endeavour to intrigue for ſuch a purpoſe, would it not be the very firſt act of His Majeſty to diſmiſs from his Councils ſuch wicked adviſers?——The Right Hon. Gentleman ſeems to be in fear for the ſafety of the Hanoverian Succeſſion. Who, Sir, is to compel any Prince of the Houſe of Hanover to ſurround himſelf with Catholic adviſers and a Catholic Council? It muſt be himſelf alone who can do this—and if ever a Prince could be found, who would ſo far attempt to deſtroy the high truſt repoſed in him, by chooſing adviſers who ſhould endeavour to ſubvert the Conſtitution, or to change the nature of the Government in Church and State, I believe there can be no doubt but in this Houſe there would be found many who would take a pride in moving to puniſh ſuch adviſers. The Right Hon. Gentleman ſays, that if you grant the prayer of this Petition, they will not be contented; in proof of which he adduces the various conceſſions heretofore made to the Catholics; he ſays, the aſſertion made by an Honourable Gentleman, 'that it was little for us to grant, but much for them to receive,' ought to be inverted; and he tells us alſo, that if we give them all we have, which is now but little, with that little they will overturn the Conſtitution and the Government in Church and State. The Right Honourable Gentleman tells us that if fifty or ſixty Catholics obtain ſeats in Parliament, there will be much danger. In what that danger is to conſiſt I am at a loſs to diſcover. But how are theſe fifty or ſixty to obtain ſeats in Parliament? What is to become of the Proteſtant gentry? What is to become of their tenantry?

nantry? Who are the perſons that are to return thoſe Catholics? The fear of it is moſt futile; for my own part, I really believe there would not be ten Catholics returned in as many years. The Right Honourable Gentleman allows, however, that if even one hundred Catholics ſhould obtain ſeats in this Houſe, their efforts would be nugatory, or of very little avail againſt the other five hundred and fifty-eight. But, finding they have no weight or influence equal to what they expected, they become diſcontented here too—and what do they do? The Right Honourable Gentleman, by a peculiar kind of logic, ſhows that they will diſſolve the Union. After having uſed their talents, their unanimity, and adherence to each other, without any avail, they contrive to diſſolve the Union in ſpite of the five hundred and fifty-eight, and ſend themſelves back to Ireland, there to form a Popiſh Parliament. (*A loud laugh, and cry of Hear! hear! hear!*) There is ſomething ridiculous—I beg pardon, Sir, for uſing that word—I mean not the ſlighteſt diſreſpect to any Gentleman more eſpecially the Right Honourable Gentleman to whoſe argument I am particularly alluding, and for whoſe perſonal character I entertain the higheſt reſpect and eſteem—but I cannot help ſaying there is ſomething not only ridiculous, but contemptible, to hear Gentlemen argue that there's any actual danger to the Conſtitution or the Government from admitting a few Catholics to have ſeats in Parliament. I have, Sir, however, heard arguments uſed in this Houſe which have made on my mind a moſt deep impreſſion, and from which one would be led to think that ſome men were ſent here only to circulate calumnies againſt, and to draw the moſt odious pictures of the character of our common country. I have heard it ſaid, Sir, that the maſs of the Iriſh people are ſo blood-thirſty, ignorant, and ferocious, and this is applied to the lower orders in particular, that no Proteſtant would be ſafe in living amongſt them. I have heard as much ſaid in *another place*, but I did not feel it with ſo much pain and indignation *there* as I did with ſhame *here*. I cannot but feel ſorry to hear ſuch a character given to a body of people, who, under ſo many diſadvantages as they have had to contend with, are, in my opinion, the very reverſe, in every reſpect, of what they have been thus falſely deſcribed. There never was ſo foul a miſrepreſentation of the Iriſh character; and I think one of the ſtrongeſt proofs of this is, that thoſe who have given this character have before and will again return to Ireland, and walk in the moſt perfect ſecurity in every part of it; and I defy any perſon living to prove a ſingle inſtance in which the people who have been thus degradingly traduced

duced have ever expreſſed the leaſt perſonal reſentment, or inflicted any perſonal vengeance on them. A Right Hon. and Learned Gentleman (the Attorney General) ſaid yeſterday, that if he had been in His Majeſty's Councils at the time, he would have objected to the elective franchiſe being granted to the Catholics, and alſo to the eſtabliſhment of the College of Maynooth. This latter objection, I own, ſtruck me moſt forcibly. What would the Learned Gentleman do with the Catholics? Would he have them brought up in the groſſeſt ignorance? Would he permit them no place of education, by which they might be rendered uſeful members of ſociety, and good and loyal ſubjects? or would he have them ſent out of the country to be educated in the ſeminaries of that Pope, of whoſe principles he has ſo great a dread, and to whoſe power he thinks it neceſſary to oppoſe ſuch ſtrong and formidable barriers? I am heartily glad, Sir, the Right Honourable and Learned Gentleman did not form a part of His Majeſty's Councils at the period when thoſe ſalutary meaſures took place, and I ſincerely and devoutly hope he never will be conſulted on any future occaſion of a ſimilar kind. So much having been ſaid, Sir, of the danger of a Proteſtant King being ſurrounded with Catholic adviſers, I would wiſh to ſuppoſe an inſtance which may, perhaps, place the ſubject in a ſomewhat different point of view. I will ſuppoſe there ſhould be a gentleman born and educated as a Catholic, who ſhould be poſſeſſed of very ſuperior talents and endowments; that he was an excellent ſcholar; a good hiſtorian; a great financier; an accompliſhed gentleman; and a complete ſtateſman; and that a Proteſtant King, underſtanding all this, ſhould chooſe to employ him,—would it not be an act of folly or madneſs, or both, in this man, after the King had thus taken him into his confidence, if he ſhould adviſe his Sovereign to adopt any meaſure that might tend to overturn the Conſtitution or the State? It would moſt unqueſtionably; and ſuch an adviſer could not poſſibly eſcape being brought to condign puniſhment for his attempt. It would be the ſame if there were more Catholics in the Council; and it is ridiculous to ſuppoſe that they would forfeit the confidence of their King, and draw on their heads the hand of vengeance and puniſhment, more than Proteſtants would. But it ſeems, Sir, in the opinions of ſome Honourable Gentlemen, that Catholics are unlike all other men; that they are not to be believed on their oaths. Other Diſſenters of various claſſes may be believed on their oaths, but a Catholic never; like the lover, 'if *he* ſwears, he'll certainly deceive.' The Right Honourable Gentleman who ſpoke laſt allows that many of thoſe who have ſigned the Petition, he knows

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to be 'men of worth.' Yet the idea of a Catholic not being to be believed on his oath, can surely form no part in the character of a man of worth—nor can any man ever be entitled to that character, of whom such an idea can be seriously entertained. An objection has been urged against this Petition, on the ground of its not being signed by any of the Catholic Clergy. I believe the true reason to be this—the Catholics wished to have this measure understood, as it is really meant, a respectful Petition for a civil right, unconnected with their religious tenets; and therefore it was not signed by the Clergy, because it was considered as an act relating solely to the laity of that persuasion I have a book in my pocket, Sir, out of which I will beg the leave of the House to read a few short extracts. I am aware that it is not the most agreeable thing to trespass on the patience of the House, by reading books to them; but there have been so many gross misrepresentations circulated against the tenets of the Catholics, in order to raise prejudices against this case, that I must entreat your indulgence. It is, Sir, a Roman Catholic Prayer Book, which the Clergy put into the hand of their flock, and out of which they perform their devotions: (*Here Mr. Ponsonby read a renunciation of the Catholics, which went to shew, that they do not think the* POPE *infallible, or that they are or can be dispensed by any one, for any act of criminality, or breach of the laws of morality. Also, an oath, which says, in express terms, that they do not believe in the infallibility of the* POPE, *and that they owe allegiance to the King, under whose Government they live; that the* POPE *cannot give them dispensation from that allegiance; but they are bound to fight for and protect their King and his Government against all enemies, even though the* POPE *himself should enter the kingdom at the head of an invading army.*) Mr. Ponsonby continued—"If these, Sir, are not satisfactory renunciations and abjurations of all those absurd tenets which have been attributed to these people, then, I think, no such can be framed. I believe there is not a parish priest in Ireland who has not taken this oath, and God forbid they should think they were not bound to perform and strictly adhere to it! But, Sir, if this dreadful character of the Catholics were true, I think the Protestants in Ireland must be the strangest sort of beings that ever were formed. There are, Sir, at this very moment, according to the articles of the Union, a certain number of noblemen and gentlemen who come over to this country to attend their duty in Parliament; there are, perhaps, somewhere about one hundred, and these, most of them, leave their property, their children, and even in some cases their wives, under the care and protection of Catholic servants; and if these were the wretches which some persons describe

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the lower orders of the Iriſh Catholics to be, we ſhould be the moſt unfeeling and careleſs guardians of all that is moſt dear to human nature, to truſt them in the care and cuſtody of thoſe who are under the immediate influence of their prieſts, and theſe men not to be believed on their oaths! But, Sir, I will be bold to ſay, never was there ſo foul a miſrepreſentation, and ſo groſs a calumny, as this againſt the Iriſh Catholics. There never was a race of men in Europe who would preſerve ſo much of what is good under ſo much oppreſſion. I know them well; and I know, at the ſame time, that whatever there is good in them, they owe to themſelves—whatever there is bad in them, they owe to you. Yes, Sir, I will ſay, it is owing entirely to your bad Government. I have many friends and near connections here, Sir, for whom I feel the higheſt reſpect, and moſt affectionate regard. I love this country, Sir, and would do every thing in my power to ſerve it; but I will not flatter it. You have governed Ireland badly. That country has long appeared to you in the light of what has been called *a bore*. You have viewed it as a caſt-off, not worthy your notice or regard, and ſo Miniſters got rid of the trouble of it, they did not care how, or in what way. I believe, Sir, I can trace the origin of this miſgovernment of Ireland to antient times, and that its riſe is to be attributed to commercial jealouſy. In days of yore, thoſe who compoſed the mercantile world were imbued with the notion, that the poorer you could make other countries, the richer would be your own. England unfortunately imbibed this notion. At the time of the Revolution there was a diſpute between two families which ſhould poſſeſs the Government of this country, and Ireland became moſt unfortunately involved in the conteſt. I do not mention this, Sir, with any intention of throwing the ſmalleſt degree of blame or cenſure on your anceſtors. I merely adduce it as a matter of hiſtorical fact, to ſhow how the Iriſh have been treated for ſo long a ſeries of years. From thoſe who are mere men, you cannot expect the actions of ſuperior beings. You cannot expect the virtues of freemen from ſlaves; and when I reflect on this, inſtead of being aſtoniſhed at the ſituation of the Iriſh Catholics, I am rather ſurpriſed that they have been able to conduct themſelves ſo well as they have done. I am not ſurpriſed, however, that they now petition; but I am very much ſurpriſed that a petition has not been preſented long before. I own I am ſurpriſed the petitioners were Catholics, becauſe I think the Proteſtants ſhould have voluntarily brought it forward. That would have produced the happieſt effects, and have ſhown a confidence highly honourable to them. Power, in itſelf, is at all times dangerous; but when you ſuffer one ſect to lord

it over another, you cannot wonder if the feelings become warm and animated, and if diſcontents and jealouſies are the conſequence. Let us now, for a moment, Sir, conſider the policy of France. *Fas eſt ab hoſte doceri.* Bonaparte has formed an alliance with the Pope, who has been at Paris, and officiated in placing the crown of the Empire on that Emperor's head. The *Roman Catholic* is the Eſtabliſhed Religion of France, and yet Proteſtants are there admiſſible to all offices of honour, truſt, and profit, as well as Catholics. If we were to land an army to-morrow in France, does any man imagine the Proteſtants of that country would join them? Some perſons affect to think, and do not ſcruple to ſay, they can put more faith in Proteſtants than in Catholics. Let us ſee how far this is conſonant with reaſon, and juſtified by the teſt of experience, ſo far as relates to ourſelves. *Pruſſia* and *Auſtria*, in the laſt war, were both our allies. The former, a Proteſtant Prince, took our ſubſidy, and cheated us of our money, by withdrawing himſelf from our alliance and the war; the latter, a Catholic Prince, bravely and honourably ſtood by us till he could fight no longer. In the laſt war, Sir, France loſt almoſt all her American or Weſt India poſſeſſions; but the rulers of that country, like wiſe politicians, in order to make themſelves amends, turned all their attention to making themſelves ſtrong in Europe. They therefore added Holland, Flanders, Italy, and Switzerland to their former territory; and when a peace took place, the greateſt part of what we had taken from them in the Eaſt and Weſt Indies was reſtored to them. Bonaparte well knows now that whoever is ſtrong in Europe muſt ultimately have the Eaſt and Weſt Indies. It is that which forms the ſtrength and power of the political tree—it is that which gives the lofty head and magnificent foliage, and which enables it to ſpread its branches to the moſt diſtant quarters of the globe. Europe may truly be called *Magna Mater Virum*; and as our enemy has turned ſo much of his attention to the conſolidation of his power in Europe, we ought to follow ſo wiſe a policy and do the ſame. Above all, Sir, we ought as much as poſſible to conſolidate our ſtrength, by uniting the affections of all ranks and deſcriptions of perſons among ourſelves. And unleſs you think you will or *can* overturn the Conſtitution, by admitting a few Catholics to ſit in Parliament, you will do a moſt politic act by granting the prayer of this Petition, and thereby uniting in affection and political harmony every deſcription of His Majeſty's ſubjects, who will cheerfully join heart and hand, and lay down their lives together, ſhould it be neceſſary, in defence of that Conſtitution and Government under which they all enjoy the benefit of equal laws."

THE CHANCELLOR OF THE EXCHEQUER. —" Sir, feeling, as I do, favourably disposed to the general principle of the question, but differing at the same time on many points from the Honourable Gentleman by whom this Motion has been introduced, and differing also from many other Gentlemen who have opposed the Motion as to the grounds of their conduct, I feel myself called upon to state very shortly to the House the views by which my sentiments are influenced, and by which my vote will be guided on the present occasion. In the first place, however, I must express my great satisfaction at the temper and moderation with which the subject has been discussed. This temper and moderation will, I hope, continue until the close of the discussion ; I am the more anxious that they should, as of all the questions that could come before the House, the present is one in which it is the most essential to avoid all heat and animosity ; and I trust that nothing on my part will disturb that coolness and impartiality with which a question of so much magnitude should be debated. I am happy to notice, likewise, that from the manner in which the business was introduced by the Honourable Gentleman, I shall be relieved from the necessity of entering upon those contentious topics, on which it has frequently been my lot to be obliged to enter, when questions somewhat similar have been under consideration. The Petitioners, I find, do not ground their demands on any claim of right ; and though the Honourable Gentleman may not have renounced his private opinions upon the subject, he is content to let the matter be discussed on the ground of expediency. For my own part, I am ready to confess that I never did consider this question as at all involving any claim of right, and that it was solely on principles of expediency that I should have ever recommended it to your consideration, or the prayer of the Petition to your adoption. I think, however, that the ground of expediency, as urged by the Honourable Gentleman

man who opened this debate, and by those who have succeeded him, is so slight, that it scarcely differs by a shade from the assumption of a right. On the contrary, I think there is in fact a great distinction between right and expediency in the present case, and that whoever takes a fair and accurate view of it can be in no danger of confounding them. I never felt that the term *Catholic Emancipation* at any time applied, in any rational view, or on any fair definition, to the situation in which the Catholics stood, and with relation to that in which they were desirous to be placed. Perhaps, indeed, in my view, the expediency of the case might be more opposed to the right than the Honourable Gentleman imagines, though he thinks the practical conclusion might be the same. I apprehend there would be found more than a shade of difference between his right and my expediency. The distinction appears to me broad, evident, and fundamental. Right, is that which is totally independent of circumstances: expediency, that which includes the considerations of circumstances, and is wholly governed by and dependent on them. In every case where the subject matter is of a private nature, there the principle of right must prevail over every other; but in a question where the object is of general interest—where the highest and most important offices in the state are to be given away, where the franchises are extended, and great public trusts are reposed, these are done for the sake of the public, and not of the individual; and therefore, in all questions relating to tests or laws, that which, upon the principles of liberty itself, we are bound to consider, is, what is best to be done under all the circumstances of the case; never, at the same time, losing sight of the interest of the individual, but keeping it in view, and promoting it, as far as it is reconcilable with the interests of the State. Therefore, it is not sufficient to look at the right, if even such had been preferred, upon the present occasion, but to see, under all the circumstances, how the giving

or withholding the highest offices in the State, and the other privileges sought by the Petition, may operate with respect to the country at large. In this view we are bound to consider, not the advantages of a measure under one particular view, or one set of circumstances, but to look at it as involving a multitude of consequences in its adoption, in its execution, nay, in its very discussion, and in the manner and time of its agitation. All those circumstances which must so much affect the results of my proposition, must be taken into the consideration of its general expediency. In this view, and with these impressions, I looked at the question of giving to the Catholics the privileges now claimed, of being able to sit in Parliament, and to hold certain offices. Feeling that unanimity was, of all things, the most desirable, and most conducive to the strength and happiness of the Empire, and wishing, therefore, that all laws imposing distinctions which might endanger or prevent that unanimity might be abolished, I could not be supposed to be friendly to their continuance. On that principle I felt, that entertaining as I did, a wish for the repeal of those laws, on which I cannot reflect without some regret that the repeal has not been obtained; yet I always felt, that in no possible case, previously to the Union with Ireland, could it have been consistent with the permanent safety of the Protestant interest, with the established frame and Constitution of that country, or with the existence of the connection with Great Britain, that such privileges should have been conferred upon the Catholics. After that measure, indeed, I saw the matter in a quite different light; and, though certainly no pledge ever was given to the Catholics, that their claims should be granted, as has been admitted by my Honourable Friend behind me (Mr. Lee); yet, I have no hesitation to say, what I believe will be borne out by the publication alluded to (his own speech), the accuracy of which, as a record of my sentiment on that particular occasion, I am not going to dispute;

pute; that I then was of opinion that, if it was found right to grant the claims of the Catholics, they might be granted with more safety to the general interests of the Protestants and of the whole Empire, and even, if rejected, they might be rejected with less danger to the tranquillity of Ireland, than if that country had continued under a Local Legislature. I thought, too, that such concessions might have been granted by a United Parliament, under such guards and securities for our Civil and Ecclesiastical Constitution, as would entirely remove the danger which many apprehended might arise through so great a departure from the policy of former times, as would render the boon safe to the country, effectual to those who received, innocent to those by whom it was conferred, and conducive to the strength, unanimity, and prosperity of the Empire. Such were my sentiments formerly—such are they now, if, from a concurrence of circumstances, it were expedient now to grant them: and if, by a wish, I could carry such a measure into effect, I am ready to confess that I see no rational objection; nor do I entertain those fears which others express, that Catholics would come over here in such a proportion as to render the operation of the measure pregnant with any danger to our Establishment either in Church or State. And unless I were sensible that there are circumstances which must interfere with the accomplishment of the object in the only way in which I conceived it either wise to attempt, or even to agitate the question, I myself should have deemed it my duty to submit it to Parliament. But, likewise, I should have done so only in the confidence that there was such weight and influence in concurrence with me as would facilitate the passing of the measure without such a mixture of opposition, of acrimonious discussion, and contrariety of sentiment and interest, as would infallibly be highly prejudicial to the public welfare, and inconsistent with the end proposed. At the same time, I do not believe that it could be the wish of the Catho-

lies to press forward their claims in any manner that could tend to excite hostilities, to rekindle animosities, and to revive jealousies. When I say this, I do not, however, shut my eyes to the argument, that the Catholics would, under any circumstances, endeavour to advance their own religion. That they would disclaim any such view or intention, for a time, sincerely I believe; but that they might fail in that resolution, that they might swerve from that purpose, I also believe. It is the nature of the human heart to lapse into those pursuits which must be grateful to it; and I do not complain because I may apprehend this consequence: and therefore, even allowing every thing for the good intentions, for the sincerity of the Catholics in their declarations, that they have no disposition to avail themselves of any power they may attain, to endanger the Church, or to encroach upon established interests, I do not think it an injurious imputation on them to suppose, that on some future occasion, under the temptation of some favourable opportunity, they might feel that natural wish, and one particularly incident to the Catholic Religion, to aggrandize the principles to which they are attached, and to promote their diffusion. It would have been wise and proper, however, not to have departed from the policy of former times, without adopting new securities for Church and State suitable to the circumstances of the times, and to the novelty of the dangers that might be apprehended; the particular nature of which it is not my intention, because it is unnecessary for me now, to discuss. It would have been proper and necessary, therefore, to have accompanied concessions to the Catholics with new checks and guards for the Established Constitution. I thought these precautions ought to be adopted on different grounds from any inherent suspicion of the Catholics, whose general loyalty I am as willing as any man to admit. I do not consider the late rebellion in Ireland to have been in the strict sense a Catholic rebellion, although it must be admitted

mitted that the great majority of those concerned in it were Roman Catholics. Not that I deny that *many* priests were active agents in promoting it, nor that these priests, being the votaries of those jacobinical principles let loose in France, had the power of swaying the minds of a misguided peasantry to the worst purposes, and actually did avail themselves of that power, to stir up and fan the flame of rebellion in Ireland against His Majesty's Government, for the destruction of the Protestant interest, and the separation of the two Kingdoms. For this reason, it appeared to me desirable to provide checks corresponding to the danger to be apprehended; checks not applying to the Catholics *as Catholics*, but such tests as would be a security against the principles on which the Rebellion originated. It seemed expedient also, to provide some guards against the evil influence which the bigotry of priests might prompt them to exercise over the lower orders; and for that purpose I was desirous that measures should be adopted to conciliate the priests themselves to the Government, by making them, in some degree, dependent upon it, and thus rendering them links to connect the Government with the lower classes of society, instead of being the means of separation, and agitators, who, by infusing their prejudices, would divide the Catholic from the Protestant, and alienate him from his duty; *that*, I conceived, would be a wise and liberal system to pursue. But that, in prosecution of this plan, we should act abruptly and inconsiderately, I never intended. We were not to throw at once every thing into confusion; but my idea was to impose checks and guards which, while they secured against the danger of the innovation, would provide additional means of defence for the country, ensure the respect due to the Protestant Clergy, and extend a proper influence to the Roman Catholic communion:—convinced that this question ought not to be entertained so as to divert our attention from those dangers which had threatened, or

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those that at a future time might threaten the Constitution. I saw that the whole of these views and considerations were to be combined into a system, under which the Catholics would enjoy equal privileges, and the Established Government would be perfectly secure;—under which the Catholics would be satisfied and the Protestants safe. Looking at the various interests to be conciliated, the different objects to be secured, I was desirous, if possible, to find that concurrence which would have given a fair chance for carrying into effect a well-matured and digested system, without the danger of those obstacles that might pervert its tendency or defeat its effect. Those, Sir, were my general views on this important subject; and had it been possible to obtain that general concurrence which was necessary to carry such a system into effect, with the assistance of abler men to digest and mature it, instead of weakening, I am confident it would have increased the security of the Establishments in Ireland, both of Church and State. But I beg to state these measures not as the result of any *pledge*; though I readily admit that they were the consequence of the general scope of the reasonings urged in favour of the Union: and that a very natural expectation was entertained, that then the measure would be brought forward immediately after that union. I thought, too, that the Protestant interests of Ireland, relieved from the precarious state in which they stood before the Union, finding their cause and their rights consolidated with those of the whole Protestants of England, would no longer see in the extension to the Catholics of the privileges claimed, any danger to their properties, to their political or religious liberties; I trusted that it would have been possible, therefore, for me to bring forward the measure, in conjunction with others, under the best auspices, without any danger of reviving jealousies, of rekindling animosities, and producing those feuds so incompatible with real conciliation, and with the ends proposed.—Unless done with

with these advantages, the advantages of the measure, I conceived, would be lost.

Unfortunately, however, Sir, circumstances occurred which prevented me from bringing forward this great measure in the manner I had hoped for, and indeed in the only manner which promised to be at once advantageous to the public, while it rekindled no political prejudices and inflamed no religious animosities; while it accomplished a great national benefit, was accompanied by none of those collateral dangers which many Gentlemen consider so formidable as to render the agitation of the question not at all either politic or expedient. What was generally the nature of these circumstances the House are not ignorant, from what fell from me at the period to which I have alluded. What I then said on this subject is all I can say now, and I cannot enter further into that point. I, for myself, felt it to be impossible, while those circumstances continued, to propose the measure. I speak now for myself. Others must judge, respecting their own conduct, for themselves. I then explained all that appeared to me to be necessary, and at present I do not feel myself called on to give a more detailed explanation. These circumstances certainly did appear to me of a nature which rendered it expedient for me to relinquish the situation I then held in His Majesty's Government; for, consistently with my own feelings, I could not bring forward the question while such circumstances existed, and I could not bring myself to be a party to the agitation, far less to the pressing of a measure, to whose success there was an irresistible obstacle. For me to have in such a situation pressed the discussion of the question, would have been altogether inconsistent with my own views. The very essence of the system which I meant to propose, was to establish on a permanent basis, tranquility, union, and peace, among the inhabitants of Ireland, and to allay the ferment that had too long fatally existed, and to crush all odious jealousies

and distinctions. But this object I never could hope to obtain by pressing the consideration of a measure professing to have these objects in view, when I must have been sensible that the minds of men were not prepared for its reception, when I was conscious it could not be carried in that spirit of harmony, from which all its utility was derived. To have attempted, then, to carry the measure, under such circumstances, would, instead of conciliation, have produced jealousy ; instead of healing up the wounds which religious rancour had produced, would only have occasioned new feuds and fresh dissensions. It certainly gave rise, in my mind, to bitter grief, to see that I could not, with any prospect of success, bring forward a measure, from the adoption of which I anticipated so much advantage to the Empire; but, though I felt the deepest regret on the subject, I resolved, and I am speaking in the hearing of those who have heard the resolution declared, that I should never be concerned, either in agitating or pressing a measure, the full advantages of which cannot be received, unless it meets with the general approbation of the parties to whose interests it principally applies. I am not, indeed, such a visionary as to imagine that no great public measure is to be introduced unless there is a prospect that it will be almost unanimously adopted ; but, I must be candid enough to own, that where the measure has a strong combination to encounter, it ought not to be inconsiderately or intemperately urged. Some pains ought to be taken in smoothing and softening down adverse opinions, and, while a great object is accomplished, to take care that as few evil consequences as possible shall attend it. This, Sir, is the view of the subject immediately subsequent to the Union; and this view, on the most mature consideration, continues unchanged. Even admitting that the question now before the House were carried, of which there appears to me hardly even a *chance*, it would not at all promote those views of permanent conciliation to which

which my attention was principally directed; on the contrary, if the question is not carried, the only effect of agitating or pressing the business now, will be to excite hopes which will never be gratified; to give rise to expectations which are sure to terminate in disappointment. The Catholics will not feel grateful for a benefit meant to be conferred on them, and the Protestants, both of Ireland and England, will be in danger of being disgusted at what they may conceive an unjustifiable attempt to remove those checks on Roman Catholics which the wisdom of our ancestors provided for the security of our Church Establishment. Now, Sir, looking to the *chance* of success, do we not find that the proposition is brought forward under the most unfavourable circumstances?—We find that the great body of our most respectable clergy, that most of our considerable nobility, that the most respectable corporate bodies in the kingdom, that the middling industrious orders in the community, that even the mass of the lower orders, are all agreed in opposition to the motion. I ask, then, even the Hon. Member himself, who introduced the question, whether this was not a very unfavourable moment for submitting the business to the consideration of Parliament? or whether, if the motion were, contrary to all probability, carried, the success would be such as was at all likely to be productive of good consequences? Would it not disappoint all the expectations of the fruits and advantages that were expected from its adoption? Ever since the Union, but peculiarly since the Petition was presented, has not the subject occupied in an especial manner the attention of the public, notwithstanding the intervention of other matters? I should disguise the truth, if I did not say the prevailing opinion against the Petition is strong and rooted. But so sensible of this are even those who are most strenuous in behalf of the claims of the Petitioners, that they seem even to anticipate the decision of the House in its rejection; and it was a con-

viction that this was not the time to look for success, which determined me not to agitate or to press a business where a rejection of the claims of a respectable body might produce consequences much to be deplored. I believe the general sentiment and feeling of the public mind to be strong and deep-rooted against the claims of the Irish Catholics; and resting the whole efficacy of my measure on a generally declared sense of national feeling, it would have been altogether absurd in me at present to have submitted it to your approbation or rejection. How far circumstances may alter so as to remove all the objections now existing to the discussion of the question, it is not for me to conjecture; and this is the less necessary, because, *when the obstacles are removed*, I have no doubt that no time will be lost in submitting to Parliament some proposition on a matter so intimately connected with the highest interests, and so necessary to the permanent safety of the Empire.

The Hon. Gentleman who began the debate this evening, and whom I do not now see in his place (Mr. W. Smith), thought proper to make some remarks on a decision of the other House of Parliament on this subject; and argued, that this decision should by no means interfere with the decision to which this House in their wisdom might arrive. I am by no means, Sir, disposed to controvert the position, that we are in all our decisions completely independent of the other branch of the Legislature. I am sensible that, even after that branch have come to a particular decision, this House, supported by the voice of the country, and the strong force of reason and justice, may succeed in spite of all opposition, in carrying a measure connected with the security or the honour of the Empire. This, however, is a power always to be exercised with the utmost degree of discretion. I put it then, Sir, to the consideration of the House, whether, after such a decision as that in the other House of Parliament on this subject, there is any chance that the question

will be differently decided here under the present circumstances. But let gentlemen consider too, if the motion for going into a Committee were agreed to, whether such a decision would at all contribute to that harmony and conciliation which both sides of the House have in view? We are anxious to conciliate the Catholics, but let us not in the mode of applying this conciliation irritate a much larger body of our fellow-subjects. While we draw together the bonds which unite one class of our population, let us not give offence to another part, whose loyalty and attachment have long been undoubted. Before we consent to go into the Committee, let us reflect on the consequences of such a measure, and let us not lose sight of the consideration that the eyes of all orders of the State will be fixed on our proceedings There have been some arguments used for going into the Committee, to which it appears to me that no importance ought to be attached. The Hon. Gentleman who introduced the motion alluded to the religious hardships to which Catholic Officers coming to this country were exposed. In Ireland they were totally unrestrained; but no sooner were they stationed here than they were liable to all our tests and penal laws. The Hon. Gentleman also alluded to the circumstances of the Catholic private soldiers not being permitted to go to mass, but compelled to attend a Protestant place of worship. If these are real hardships, I think they are matters of mere regulation, and might be the subject of a particular Bill; but surely the House will never consent to go into a Committee upon the general question, with a mere view to examine into such minute articles as those I have now stated. If the House goes into the Committee at all, it must be on broad general principles; it must be for the purpose of considering it in all its bearings and relations. It would be inconsistent with the dignity of the House to allow minute details to be held forth as reasons for resolving into a Committee,

Committee, which is meant to stir up the very foundations of the question, and which must of necessity so much excite the hopes and fears of the opposite parties. I lament extremely that the Catholics have at present agitated this question; for I do not deny their right to petition this House on a subject which, to them, is of the highest importance. I am sorry that such a time was selected, when no rational hope of success can be entertained. But if you to-day should resolve on a Committee, desiring men of different opinions to concur in it, who may think very differently on most of the points that are to come before them, and with the opinion of the Hon. Mover, who thinks that the whole should be granted, let me ask the Hon. Mover, let me appeal to the Hon. Gentleman who spoke in its favour last night with so much ability, and with so much splendour of eloquence (Mr. Grattan), what would be the result? In fact, he cannot deny that nothing is more dangerous than to hold out hopes which cannot be realized; and either he, or the Hon. Gentleman who introduced the business, has indeed given us an instance sufficiently illustrative of their agreeing in this position. They have contended, that if there were any circumstances arising out of religious opinion which inflamed the Catholics in the Rebellion of 1798, they were solely attributable to the disappointment of those hopes of emancipation which Earl Fitzwilliam had encouraged. What then would be the consequence on the feelings of the Catholics, if the House were to resolve into a Committee, and, after full investigation, *decide* that *no part of the Petitioners' claims should be granted?* Would not all their hopes be disappointed, and might not the worst consequences take place? It is the anticipation of such consequences that makes me sincerely lament the agitation of the question at the present moment. If gentlemen feel the truth of this observation, let me ask them, what would be the policy of going into a Committee on a motion to grant the full extent of the

the Petition, which, even on the most favourable view, might terminate in the refusal of, perhaps, all the most important points? I do not think it necessary to dilate upon the grounds of my opinion. With an earnest wish in favour of the Irish Catholics, and a deep regret that circumstances still render the consideration of their Petition inexpedient; with my indispensable sense of a sacred duty; with a fair view to the present state of opinion amongst all denominations of persons, and the recent decision of another branch of the Legislature,—I should act contrary to all sense of my duty, and inconsistently with the original line I had marked out for my conduct, were I to countenance this Petition in any shape, or to withhold giving my negative to the proposition for going into the Committee."

Mr. WYNDHAM (in substance).—Sir, I consider the question now before the House, as one naturally and immediately the consequence of the Legislative Union established between Great Britain and Ireland; and one to which the Catholics of Ireland were certainly taught to look forward in the course of all arguments urged in favour of that measure, both in and out of Parliament. I think, and have long thought, it is that measure by which alone the great Union of Protestant and Catholic can be brought about. When the proposition for the Union was first brought forward, I had strong objections to the measure; and I was only reconciled to it upon the idea, that all disabilities attaching on the Catholics were to be removed, and that the whole population would be united in interests and affections. Believing this to be the case, Sir, and finding that impediments were started to this measure much stronger than I was prepared to apprehend, I relinquished the Administration, because I thought the measure indispensable to the safety of this Empire; and I have seen nothing since to change my opinion on that point. The Right. Hon. Gentleman has avowed that his opinion was then the same; and

surely

surely if it was expedient in 1801; if the circumstances of the country then imperiously called for its adoption; surely it is still more loudly called for by the circumstances of the present moment; and I know of no alteration that has taken place in the circumstances of the Empire that can be truly said to render it less expedient now. The Right Hon. Gentleman, in every thing which he has offered as argument against the question itself, has referred to times past; but how these arguments can apply to the present day he has not stated. The Right Hon. Gentleman has said that many persons are averse to the measure, that the Clergy and the Nobility were opposed to it, and that the public mind is not unanimous in its favour. Why, Sir, if the Catholics are to be told they must wait until all the objections which passion, or prejudice, or ignorance, or caprice may suggest, are perfectly silent,—and that no man is to be found in or out of Parliament opposed to their wishes, I am afraid their hopes of success must be postponed to a very distant day indeed: but, Sir, I am not aware of this very general sentiment of the leading Clergy, the Nobility, or the public at large, against this measure; unless we take the speeches uttered in this or another House of Parliament, opposed by other speeches, at least equally strong and independent, for that general sentiment; or unless we consider the declarations of a few individuals, in different quarters of the Kingdom, or a few newspaper publications from prejudiced authors, as expressive of that general sentiment. But if arguments drawn from such sources are insisted on; if no measure is ever to pass in Parliament which has not the unanimous sense of the country in its favour, prejudice and passion may for ever triumph over reason and sound policy. But, Sir, as long as a Catholic remains in these countries, such objections will exist. They are founded upon the very essence of opinions, which you can never remove from those minds, on the very first principles of which they are rooted.

rooted. And so long as they exist, there never will be wanting an outcry against the claims of the Catholics. I should be glad to know what public question that ever came forward in this House has had in its favour such unanimity, that there could be no objection to it? While we have to encounter prejudice and oppose confederacy, how is it possible that truth and reason can be victorious with unanimity? But to say that this House is to be deterred by popular clamour or prejudiced objections from exercising its fair judgment, is tantamount to a declaration that no disorders can be removed, no abuses corrected, no tyranny subdued. I therefore must resist and deprecate such arguments coming from the Right Hon. Gentleman against this motion, as unparliamentary, unconstitutional, and dangerous. But, Sir, I know of no reason why that measure which His Majesty's Minister is of opinion was expedient, and ought to have been done four years ago, and may be done hereafter, ought not to be done now: and as to any danger that can arise from bringing forward the question now, as is alleged, without the chance of success, the only mischief I can apprehend is from the refusal, which must recoil upon Ministers themselves, as the cause of it. The whole of the Right Hon. Member's speech upon this subject is indefinite, full of mystery, and, to me at least, not clearly intelligible. The Right Hon. Gentleman has talked of expediency as distinct from right. But the claim of the Catholics is not set up upon what is termed a fantastical claim of right, but a plain and common right to an equal share and participation in the benefits of the Constitution under which they live. I am myself disposed to rest the principal part of the claim upon *Expediency*, without excluding *Right*. But the Right Hon. Gentleman will hear only of expediency. But this sort of attack on principles of right cannot be maintained. Rights, in the strictest sense of the word, as employed by the Right Hon. Gentleman, no where

exist: but even on the ground of right as a claim of nature, the Catholic Petition, I say, is founded in justice. They state that what they ask is founded on political expediency; and the policy and expediency of acceding to their petition, is only rebutted by alleging, that to grant their claims would be attended with the greatest danger to our Protestant Establishments in Church and State. What this danger is, from the best consideration I have been able to give to the subject, I am utterly at a loss to discover; and therefore the *onus* of proof lies upon those who plead that danger. But, looking to all the dangers,—as well these which those who oppose this motion plead, as those which there may be any reasonable ground to apprehend, I think that to grant now the claims of the Catholics is by much the less dangerous policy to pursue. For the present, however, I shall not trespass on the attention of the House by arguing the question further; I shall content myself with entering my solemn protest against the species of argument urged by His Majesty's Ministers against this Petition, and declaring my firm resolution to persevere in this object, which I consider as best calculated for the safety of that very Protestant Establishment to which it is said to be inimical; and I have the strongest hope, anxiety, and confidence, that the period is not far remote when this House will see the justice and sound policy of conceding this salutary, wise, and beneficent measure.

Sir JOHN NEWPORT.—"Sir, though I naturally feel solicitous (feeling and thinking as I now and always have done upon this subject) to assign my reasons for the vote I shall this night give on a question of such vital importance to the Empire in general, and Ireland in particular;—yet even under this impression, the lateness of the hour will prevent me from trespassing more than a few short minutes on the attention of the House; nor should I now have risen but for the purpose of viewing this

subject upon the untrodden ground of an example, so precisely apposite in all its circumstances, and bearing so directly on the temperate requests of the petitioners, as to call forcibly for your notice.

It is the result of an experiment fairly tried upon a great nation, possessing above seven millions of inhabitants, varying most widely in their religious tenets, convulsed by the difference of those tenets, and the restrictions founded upon them during many centuries; yet at length procuring internal peace and tranquillity, and external strength and respect, by the sacrifice of those restrictions. The nation, Sir, was HUNGARY; of her seven millions of inhabitants one half were Protestants, Calvinists, and Lutherans; many of the Greek Church, and many Jews. Often had even Mahomet been called in to the aid of Calvin, and the *Crescent* glittered on the walls of Buda. At length, in 1791, at the most violent crisis of disturbance, a Diet was called, and passed a decree, by which they secured the fullest and freest exercise of Religious Faith, Worship and Education; ordained that Churches and Chapels should be built for all sects without description; that the Protestants of both Confessions should depend on their own spiritual superiors alone, freed from swearing by the usual oaths, namely—"by the Holy Virgin Mary, the Saints, and Chosen of God." And then, Sir, came the great and leading clause, granting, in the fullest extent, every point which is in the utmost contemplation of the present Petitioners to this House:—"*The Public Offices and Honours, whether high or low, great or small, shall be given to natural-born Hungarians, who have deserved well of their Country, and possess the other Requisite Qualifications,* WITHOUT ANY RESPECT TO THEIR RELIGION." This, Sir, was the policy pursued in an Hungarian Diet, consisting of nearly *four hundred* members, in a State whose form of Government approaches more nearly to our own than almost any other in Europe, with a ROMAN CATHOLIC ESTABLISHMENT of

great opulence ; adopted, too, at a period when it was to be subjected to the severest trial as to its social and political effects. It has passed that fiery ordeal : it has undergone a trial of fourteen revolutionary years, equal, in fact, to the trial of a century less disturbed and agitated : and what have been its effects ? —When the French advanced in their course like a torrent, within a few days' march of Vienna, the Hungarians, before so divided, and so disaffected to each other, rose *en masse*, as it is termed, "in the Sacred Insurrection," to preserve their Sovereign, their Rights and Liberties : and the apprehension of their approach dictated to the reluctant *Bonaparte* the immediate signature of the Treaty of Leoben. Such, Sir, have been the effects of such a measure in Hungary. The Romish Hierarchy in Hungary exists in all its former splendour and opulence. Never has an attempt been made to diminish it ; and there, almost alone in civilized Europe, at least in that quarter of it, have revolutionary principles failed of making the smallest successful inroad. Does this case, or does it not, as I have stated, bear directly on the case of the Catholics of Ireland ? Has a Roman Catholic Potentate, not the least attached to his Religion in Europe, set you such an example, and given you decided proof of its great and happy effects, by such a trial ?—And do you, a Protestant Legislature, fear to submit your Religion to a similar test ? Will you eternally keep up the wall of proscription, when they have thrown it down ? —This, Sir, affords a direct refutation of the assertion made in the Petition from the City of Dublin, which states that the Roman Catholics are at present placed upon a footing of political power not enjoyed by any other Dissenters from the Established Religion in any other State of Europe. Convinced however as I am, Sir, of the wisdom and sound policy of acceding to this Petition, I shall give my most cordial assent to the motion of the Hon. Member who so ably introduced this debate.

Mr.

Mr. MAURICE FITZGERALD argued with much ability in favour of the motion. He observed, that when it came on for cool discussion, all objections with regard to the propriety of the subject matter of the Petition would be abandoned, and it would be rejected only on the ground of expediency. He felt it his duty to observe, that if the present Petition was rejected, any ultimate hopes of success to which the Catholics might look forward would be a dangerous snare. When he voted in the Irish Parliament for the Union, it was with a view to this measure. The impression made at that time on the Catholic mind was, that the Cabinet Ministers, as well as the Opposition, were in favour of granting their claims; and they of course expected that much more attention would be paid to them at this time. He sincerely hoped the Catholics of Ireland would preserve, under their disappointment, an equanimity of temper, and, in the interval of discussions, forget the gross and unfounded calumnies which, in the course of this debate, had been cast on that unfortunate country; and that the Irish nation would be judged of, not upon the authority of such slanders, but fairly upon the ground of its own conduct.

Colonel ARCHDALE read a passage from a pamphlet, which he stated to be of great authority, showing that the bulk of the Roman Catholics themselves were by no means anxious about the issue of the question. The cause, he contended, if a good one, had been ill conducted, and he gave his decided negative to the motion.

Mr. AUGUSTUS DILLON disclaimed the charge urged in the course of the debate, that this was a party measure. It was a measure involving the rights and liberties of several millions of His Majesty's loyal subjects; and it would be wantonly to sport with their feelings, that this measure should be considered merely as a measure of party. It was a claim that closely attached to the safety of Ireland.

Martial

Martial Law it had been thought necessary to proclaim in Ireland, and the Habeas Corpus Act was there suspended. The hearts of the Irish people had been alienated by severities and oppressions; and Government deemed it impossible to carry on its measures but by strength and coercion. But if this measure was allowed to pass, such expedients would cease to be longer necessary, and the mass of that brave and grateful people would present a firm—an iron bulwark for the protection of this country against the designs of this enemy.

Mr. SHAW (Member for Dublin)—"Sir, although I could wish that I had not to address you on the subject now before the House, yet I cannot reconcile to my sense of public duty a silent vote on the occasion; nor, though that duty be painful, will I shrink from its open and manly performance: intimately connected as I am with the prosperity of my native land, it must be expected that upon any question connected therewith I shall give a sincere vote. Those who know me will believe that I shall do so this night, in honest accordance with my conscience, my judgment, and what I conceive to be the sense of my Constituents. In common cases, profession of principles and independence would only appear superfluous; but where prejudices are to be combated, and popularity is perhaps divided, I feel it not unnecessary to assert my complete independence alike of ministerial influence and of popular clamour, should the one be supposed adverse or the other favourable to the Petition. Having thus far trespassed on the House to disclaim in my vote all sinister influence, I now beg its indulgence to a few reasons, which I shall briefly and plainly advance in support of that vote. It is impossible that I, in common with every member of this House, must not feel affected by the torrents of eloquence poured forth by the Honourable Mover and Supporter of this motion; but I have not been convinced: and while I admired

admired I was awakened to a sense of the necessity of recurring to those obligations which I accepted with the great and honourable trust reposed in me by my Constituents; and their sentiments on the subject now before us have been too recently and too strongly expressed in the Petition on your table, which they requested me to present and support, for me to affect to misunderstand, or decently oppose: neither can I be insensible to the paramount duty pressing upon me, to support the Constitution as it has been intrusted to my care, unless instructed to the contrary by the express will of my Constituents. I shall endeavour, at the appointed season, to yield up my trust as unimpaired as can depend upon my humble but zealous exertions. I know, Sir, that the doctrine has often been advanced, that a Member of Parliament is not to be limited by local attachment: that he is the Representative, not of a part but of the whole. This I reject; and were I to admit it generally, I should feel my own case a strong over-ruling exception. A great capital possesses peculiar and commanding influence over the Representative: to attempt to despise its sense, or divert its interests, is that bold and perilous kind of enterprise which, I confess, I dare not undertake. I feel embarked, in one bottom, with the city of Dublin, and never shall set my own opinion above that of its electors, nor wilfully act in contradiction to their wishes. But, Sir, while I profess to obey implicitly what I conceive or know to be the will of my Constituents, I deprecate the remotest idea that I entertain a feeling hostile to my Catholic countrymen, or that I am not as sincerely attached to their real interests as any Gentleman who this night supports the Petition on your table. Sir, I know that if those interests had been honestly and truly consulted, that Petition would not now be under discussion. A subject of such importance, involving such a variety of interests and exciting such warmth of feeling, would never have been brought forward at such a time as this,

nor

nor have been made an instrument to embarrass the Executive Power, when the completest unanimity within and without these doors is necessary to oppose the most formidable and malignant enemy that ever threatened our political existence. The Petitioners support their claims by the assertion of their loyalty. If that loyalty is questioned, it is not by me. No man has a greater confidence in the loyalty of the Irish Catholic than I have, when left to the genuine influence of his own heart. But I must remark that the Petition on your table holds out an indirect threat to Parliament; and by asking you to do away those distinctions which make a foreign enemy rely upon the aid of disaffection, it in some degree admits, that, should you not accede, such aid to an enemy may be given should the occasion offer. In the event of such a trial I know the superior strength of Irish loyalty, and my country was never so well prepared to crush a foreign or domestic enemy. But, Sir, I am willing for my own part distinctly to acquit the Petitioners of any such meaning; and I wish the Irish Catholic better than that he should derive from our fears what our prudence and inclination would not grant him. I feel an anxiety for his honour, as well as for his interest; and I trust that whatever he may receive on a future day from this House shall be the result of cool, mature, and impartial deliberation, and be given to him in a manner consonant to that dignified weight, which I wish every class of my countrymen to maintain in the scale of public opinion. Should the day come in which every civil distinction shall be removed, I wish the boon to be unaccompanied by reluctance or distrust. I wish it to be when the Irish Catholic is relieved from the odium and suspicion derived from his foreign connexions and influences, and when the directing head of his Church shall not be the instrument and slave of that sanguinary despot who is the implacable foe of the Constitution and Liberties of this Empire. But, Sir, is the House prepared to entertain

tertain this Petition without going further? What is to become of the English Catholic and the English Dissenter? Sir, I should be ashamed to look the latter, or either, in the face, if I committed such flagrant injustice as to exclude them alone from the privileges now required of us. Without intending any invidious comparison, I know that His Majesty does not possess a more loyal, sincerely attached, and valuable subject, than the Irish Dissenter: and the English Dissenter may well be supposed not less meritorious. If there are tests to which those professing certain creeds cannot subscribe, are they alone to be bound by the influence of conscience, and its dominion denied where it should most prevail, and where it is the bond of our Liberties and our Laws? No, Sir; and until some reconciling means can be adopted, let us remain as we are, and all unite in maintaining, against the common enemy, that Constitution so superior to all others, and which is the sole refuge of Civil Liberty in this quarter of the world. I ask pardon for having so long occupied the time of the House; but having the honour to represent the capital of that country whose interests are vitally involved in the present discussion, I felt it imperative on me to state my reasons for voting against the present motion."

Mr. HILEY ADDINGTON rose, merely to explain shortly one point, with which he hoped the Honourable Gentleman (Mr. Fox) would be perfectly satisfied. In the course of yesterday's debate one of the Honourable Gentleman's arguments was, that hope had been held out to the Catholics, in one of the great debates upon Catholic Emancipation, improperly so called; and he had quoted a passage from a speech of a Noble Relation of his (Lord Sidmouth); and an explanation was afterwards given by another Honourable Member that pleased him, as well as his Noble Relation. If his recollection had gone far enough, he would have stated the exact words. He believed it was to this purpose—That if the Eſtabliſhment of Popery was not the object of the Petitioners, perhaps he ſhould have been

inclined to liſten to it, if modulated with certain conditions; this was a call for a Revolution in the repeal of ſome of the wiſeſt laws of the land.

Mr. JOHN LATOUCHE.—It is with great regret that I differ on this queſtion from a very reſpectable part of my conſtituents; men for whoſe ſentiments I ſhall ever entertain the greateſt reſpect. The corporation of the City of Dublin, who have petitioned againſt the claims of the Catholics, have ever been loyal to their King and Conſtitution; zealous ſupporters of the Proteſtant Eſtabliſhment: and did I conceive that going into the Committee would endanger that Eſtabliſhment, there is no one who would be more ready to give a negative to the motion of my Hon. Friend; but ſo far from thinking that the meaſures propoſed would weaken that Conſtitution, I am convinced it would not only tend to confirm that Eſtabliſhment, but alſo ſtrengthen the foundations upon which reſts the ſecurity of the Empire. The advantages to be derived from the adoption of this motion have been ably proved to be conſiderable in number and great in benefit; and, in my opinion, it has not been proved to this Houſe, that any danger is likely to enſue from it. Granting for a moment, what I do not allow, but what the moſt violent oppoſers of the Catholics could urge againſt them, that there exiſts in a part of that body of men a decided animoſity to the Britiſh Conſtitution, and a violent deſire to effect its ruin,—granting, for the ſake of argument, that ſuch is the diſpoſition, ſuch is the object of men amongſt the Catholics, the means of effecting their purpoſe and accompliſhing their wiſhes would be totally deſtroyed by the meaſure propoſed this night. Will the Houſe conſider what are the means by which the diſaffected would endeavour to obtain their object? It has been already clearly proved, that admitting Catholics to ſeats in Parliament could never, in the opinion of any man in this Houſe, give them ſufficient weight in it to carry meaſures deſtructive to the Conſtitution. It cannot be ſuppoſed that the number of Iriſh Catholics, whether 20, 40, or even 100, that would be returned,

returned, could ever prevail on the remaining 558 Engliſh and Scotch Members to unite with them in the deſtruction of a Conſtitution they all venerate; which has raiſed their Country to the height it now is placed in—for which their anceſtors fought and bled; and for whoſe defence I truſt, if called upon, we are all ready to riſk our lives. No, Sir, it never could be by Parliament that they could hope to overturn Parliament itſelf; but, poſſeſſing as they do a population of nearly four millions, would it not be by that phyſical force, aided and aſſiſted by a foreign power, that they could alone hope for a probability of accompliſhing their objects of overturning the Conſtitution and ſeparating the two countries? It is by arraying this population againſt you they could alone be formidable: but by adopting this meaſure you will remove for ever the remoteſt poſſibility of their doing ſo; by giving an equality in the bleſſings and enjoyments of the Conſtitution to this population, you will have them ranged not againſt you but for you. But while diſtinctions and inequalities exiſt—while you permit an appeal to their paſſions and perhaps to their reaſon, that though they equally contribute their property with their Proteſtant fellow ſubjects—though they have ſpent and are daily ſpending their blood in defence of the Conſtitution—though by their exertions they have added to the laurels and contributed to the ſafety of the Empire;—that though they have patiently and cheerfully ſhared with the Proteſtant equal dangers in time of war,—yet they are not allowed to ſhare equal advantages in the hour of peace: ſuch an appeal muſt have ſome weight upon the mind; and though it would not ſeparate thoſe who have ſtill many reaſons to be attached to the Conſtitution; yet, by deſtroying the poſſibility of its being made, you weaken the efforts of your enemies. It is theſe diſtinctions that have given riſe to a ſpirit of party, that has been the misfortune of Ireland—that has conſtantly and uniformly checked its progreſs towards improvement in time of peace, and I am ſure increaſed its dangers in time of war. By removing the conviction

in one man's mind that he poſſeſſes ſuperior advantages, in the other that he labours under diſabilities and reſtraints; by taking away this double conviction you will give a death-blow to party-ſpirit; for it is by this policy alone that the violent of both parties have been able to agitate and irritate—I ſhould almoſt have ſaid exaſperate the minds of the people againſt each other, even at times when the ſituation of the Country and the danger of the State imperiouſly demanded harmony and unanimity. This ſubject has been ſo ably argued on this ſide of the Houſe, and ſo feebly, in my opinion, on the other, that I feel it is but preſſing on the patience of the Houſe to urge any thing more in favour of the motion. But I cannot avoid ſtating how much will be gained by the deſtruction of all party-ſpirit. Conſider Ireland with a liberal mind, you will lament the diſunion of her people; but look at the ſituation of Europe, and the conteſt in which we are engaged, you will not only look at it with ſorrow, but you will ſee the neceſſity of endeavouring to harmonize and unite. We may hope to defend Ireland by having the command of the ſeas, by blockading the fleets of our enemies; this mode of defence has failed already, and may again fail; but give to Ireland, to all its people, an equal intereſt in the defence of the Conſtitution, equal enjoyments of its bleſſings, you will then have a defence invulnerable by your enemy, which I doubt if the enemy would dare to encounter; but which ſhould he attempt, I have not the ſmalleſt doubt that the reſult would be defeat to him and ſecurity to us.

Sir JOHN HIPPESLEY ſaid, that though he had riſen very early in the debate with much anxiety, to deliver his ſentiments on this important queſtion at ſome length; he had nevertheleſs given way, with great ſatisfaction, to the Honourable Member, (Mr. Grattan,) from the diſplay of whoſe ſplendid talents ſo much expectation had been juſtly formed. As he now ſaw the Houſe, at that late hour, little diſpoſed to prolong the debate, he would treſpaſs on their patience no further than to ſtate two facts of conſiderable

conſiderable intereſt, and he would leave Gentlemen to draw their own concluſions from them.—The firſt was the Conſtitution of Corſica, as ratified by His Majeſty, and which ſtipulated that the Roman Catholic Religion, in all its evangelical purity (which were the words of the Act), ſhould be the only National Religion of Corſica, and all others tolerated; and that the Parliament ſhould concert the diſcharge of the functions of the Biſhops with the See of Rome. The other fact was, that a Roman Catholic prieſt, of the name M'Donnel, had been commiſſioned by His Majeſty in the year 1794, as Chaplain to a Catholic Fe cible Regiment raiſed in Great Britain. Sir J. Hippeſley ſaid, he would leave thoſe who reſted ſo much on the preſumed reſtrictions which appeared to them to grow out of the Coronation Oath, to form their own eſtimate how far theſe gracious acts were reconcilable to their interpretation of it, or whether His Majeſty was not at liberty thus to gratify the expectations of that deſcription of his ſubjects, without trenching on the principles of the Conſtitution.—As the Houſe was ſo impatient for the queſtion, he would ſay no more.

Lord DE BLAQUIERE ſpoke againſt the motion, and conſidered it as calculated to injure the higheſt intereſts. It was a deſperate remedy, which led to one of two extremes: either it would produce union, happineſs, and peace, or cauſe the beſt blood in the counntry to flow down its ſtreets.

Mr. C. H. HUTCHINSON, with warmth, zeal, and ability, ſupported the motion, and vindicated the character of his traduced countrymen.

The ATTORNEY GENERAL felt it neceſſary to explain.—What he had ſaid was, That if the Houſe expected the Catholics would be conciliated, by acceding to their Petition, they would be miſtaken, as he believed they would want ſomething more. The other point was, that he had been repreſented to hold out the threat of reviving the Penal Code. This was a miſtake; he thought it a bloody and cruel Code. But he had ſaid, That if he had been conſulted he ſhould have oppoſed granting them the Elective

Elective Franchiſe, and the Eſtabliſhment of a College at Maynooth.

Mr. HAWTHORN ſaid, That at that late hour he would not intrude upon the exhauſted patience of the Houſe by entering at large into the argument; but that he was unwilling to give a ſilent vote upon ſo important a queſtion. He freely admitted that it had been his wiſh that this meaſure ſhould not have been brought forward, or diſcuſſed, unleſs under the reaſonable proſpect of ſucceſs, which in his mind did not exiſt at preſent; but thoſe who were ſo much and ſo peculiarly intereſted in the reſult having judged otherwiſe, and the diſcuſſion having taken place, he had no heſitation in declaring, that he conſidered the complying with the prayer of the Petition to be eſſentially neceſſary to the peace and repoſe of Ireland, the ſtability of the Union between the two Countries, and the ſafety and ſecurity of the Empire at large; and therefore gave his decided ſupport to the motion.

Sir WILLIAM DOLBEN oppoſed the motion. He admitted that the balance of talent and ingenuity were in favour of the petition; but the force of argument and public principle on the other.

Mr. FOX closed this intereſting and important debate in a moſt eloquent ſpeech to the following effect:—Sir, before I enter into a general reply to the arguments, or rather the obſervations, that have been made by thoſe who have oppoſed the motion I had the honour to ſubmit to the Houſe, I feel myſelf neceſſarily obliged to ſubmit a few words in anſwer to an Hon. Gentleman, on the ſubject of the ſpeech of a Noble Viſcount (Sidmouth), in the courſe of a former debate. If I have not been miſrepreſented, I believe it will be found that what I ſtrictly ſaid, was, not that the Noble Lord ſaid the Catholic Emancipation would be the effect of the Union, but that the Union was a pledge of the Catholic Emancipation. I ſtated, that the Noble Viſcount, in his ſpeech, ſaid three things to be conſidered; one, with a view to the former laws againſt the Catholics; another, with a view to Catholic Emancipation, of both which he diſapproved;

disapproved; but would, of the two evils, prefer the enactment of Penal Laws; and the third, with reference to a Legislative Union, which, he said, would not be productive of any of the disadvantages of either of the other measures. Having stated this as one of the things which did give hopes to the Catholics, I thought the measure proposed in their favour would not be objectionable to the Noble Viscount. With regard to the objections against my motion, I shall speak to those which apply in point of time first; for, though they came last, they are first in point of order; and, first of all, let me make a remark on the objections which came from a Right Hon. Gentleman opposite. Considering the general weight of his abilities and his experience—considering some additional weight which he derives from the office he holds, I cannot but remark that the objections he has made come singly from him; no one who preceded—no one who followed him, has urged any objections of a similar nature. He stands, as far as this debate goes, perfectly singular in stating his objections to the Petition, in point of time. I shall consider the objections in themselves, and then, as coming from him; and, first of all, in point of time, with regard to myself—I have no defence to make—for I say, let my conduct in bringing the question forward be attended with whatever imputation it may, I am ready to say there is no time of my life when, if any set of men applied to me to support a Petition in favour of Religious Liberty, I should not have complied with the requisition. With regard to what has fallen from another Hon. Gentleman on the subject of this being a party question, I can only say, that if his opinion was to be followed, and we were to consider every thing as a party trick, as he is pleased to call it, because we did not expect that it would be attended with success, we should render the Constitution of this Country somewhat singular; and certainly the whole tenour of my life would have been contrary to the opinion of that Hon. Gentleman. With respect to the time, I say,

I should

I should at any time have presented this Petition; for I always considered that every man had a right to the free enjoyment of his religious liberty, subject to what may arise from considerations of public safety. As I do not believe there ever has been any possible injury to the public safety, by extending religious liberty to those who ask it, I must of necessity think it right to extend it to the Catholics. As to the time with respect to those who have signed the Petition, the objection founded on their omitting to have it brought forward before is most extraordinary; for it is admitted, that in the way the measure of Union was argued and defended, the Catholics had, without a positive pledge, some reasonable ground to hope that their Petition, or the matter of their Petition, would be granted. This is not all. Those who were most averse from the Catholic claims argued it in a way not like the Hon. Gentleman opposite, who appeared to me to think that the Union would pave the way for the grant of the Catholic claims; that it took away the only difficulty which belonged to the discussion of the question: and that, when the Union was completed, it would be, in the view of many, more safe to grant their claims, or less dangerous to resist them. If I am told that the establishment of the measure of the Union will produce a fitness of time when the claims can be brought forward with propriety, and cannot be refused without danger, I desire to know whether that is not precisely the period when men who wish well to their country would naturally be inclined to bring them under discussion. What time can be more proper for discussing the claims of any class of subjects, than that in which it is admitted they can be granted without danger? I should, therefore, have supposed, that all who thought the Union the most certain means of preventing the danger, would have conceived the completion of that Union the time peculiarly proper for the Catholics to submit, and a Member of Parliament to recommend, a measure which the friends of it considered right, just, and equitable, to be adopted.

adopted. But what then? You tell them—you say to them, "Help us in this Union—give us that assistance which is necessary to us." Many of the Catholics do so; and then your friends, and the friends of the Union, tell them they have great hopes their claims may be granted. Then the Petition comes, as might naturally be expected it would come, after such an assurance; and, in return for the assistance given by the Catholics, it is proposed to say, "Do not discuss the question at all." It may be said, "Why did not the Catholics come immediately after the Union?" I do not wish to enter into an altercation on that subject—it is most probable that the cause of their not coming sooner was, that the Right Hon. Gentleman's resignation, accompanied with the reasons he gave for that resignation, induced them to adopt the opinion, that they could not with propriety bring their claims forward at that time. But the Right Hon. Gentleman, in a letter, gives the Catholics a justifiable ground of hope, that it would be a part of his future plan to smooth the way, by preparing the Public to receive the Catholic Petition. What must have been the impression on the minds of the Catholics in consequence of this? They must have thought that the Right Hon. Gentleman, during the two years he was out of office, would have directed his attention to the subject, and that he was a little negligent of their concerns, if he did not take quite so much pains as he ought to have done. But it was natural for the Catholics, when they saw the Right Hon. Gentleman returning to office—when they recollected they had heard him say, that, entertaining the opinion he did of the Catholics, he could neither bring their claims forward with safety, nor continue in his office with propriety—I repeat, it was natural for them to say, that, "although we did not consider your conduct as a pledge on your part, or a claim on ours, yet when you declared you could not bring the subject forward with hopes of success, nor continue in office, unless you

could do so, we had a right to depend on your support, whenever the opportunity was afforded you of granting it. Thus, when we now see you returning again to office, we may reasonably conclude you are in a situation in which you may support, encourage, and promote those claims of which you approved."

This was the natural time for the Catholics to apply to the Right Hon. Gentleman for support, and for him to grant it. I think it is impossible that I can misrepresent what the Right Hon. Gentleman said four years ago, in the course of a debate on the State of the Nation, and I think that all he has said tonight is a proof that I understood him rightly. He said, that considering the turn the question had taken, considering the infinite importance of the subject to the Empire at large, he thought he could not move it with all the advantages necessary to its success, or at least to that species of success, as he expressed it, which would be productive of the result ultimately to be desired ;—that, under such circumstances, he felt not only that he could not move it himself, but that, if it was moved, he should feel it his duty to resist it. If it is true that he told us so, surely it was natural for persons in the situation of the Catholics to suppose, that when he returned to office he would attend to this circumstance. It seems to me that this night he has gone a good way in stating the singularity of his own conduct. He said, that the question could not advantageously be brought forward, unless with the general concurrence of every branch of the Legislature. Such was the reason, he tells you, that he did not bring it on. This I admit is perfectly consistent with his former professions ; yet, I think, that in the year 1801, as well as if he was to do so in 1805, he did take a further measure of no small importance to his reputation, and the welfare of the country, by putting an end to his own administration. He has stated all he did at that period.—He stated his sentiments then, as he has done now ; and I cannot but remark, that in

giving

giving an account of his conduct, there is a material alteration and difference in his conduct in 1805, with reference to what it was in 1801. Yet, he has so conducted himself, that it was impossible the Roman Catholics of Ireland could know that such a difference of opinion existed, or that his opinions and sentiments were not similar to what they had been. They must have concluded, from the very circumstance of his being in office, that it was his intention either to move or to support the question. I believe that idea was so firmly impressed on the minds of the Catholics, that he could not imagine the fact was otherwise. Many persons undoubtedly thought, that there might be some circumstances which might make it proper to defer the consideration of the subject to another Session. If from prudential motives it had been recommended to them to defer the consideration of the subject to a future period, I have no doubt, that, with the opinions they entertained, and the impressions by which they were actuated, they would have readily acquiesced. But when they found that the Right Hon. Gentleman could not now bring their claims forward; that the objections against them would equally apply at any given time; and that he continued in office, contrary to his own example in 1801; they concluded, as justly they might, that he had completely changed his mind. It was under that circumstance, and the impression it excited, they came to me; and now, because they have come to me, is it to be said that they have made themselves the allies of a party? *(A cry of Hear! Hear! and much agitation.)* I wish to know what will become of this House, and eventually of the Government, and the Constitution of the Country, if when those who are refused redress by Ministers appeal to men who for good reasons oppose Ministers, they are to be stigmatized with adhering to a party? *(Vehement exclamations of Hear! Hear!)* Are those who oppose Administration to be incapacitated, merely for so doing, as independent Members of

Parliament? *(Violent clamours.)* Are we, the free, uncontrolled, and independent Members of this House, and the Representatives of the People of England, the first nation on earth, to be excommunicated in our political capacity, because we are in the performance of a duty adverse to the sentiments of those Ministers whose conduct we condemn? *(Continued agitation, and repeated clamours, almost drowned the voice of the Orator.)* We talk of the excommunications of the Pope, but can his anathemas be more unjust than those which stigmatize men as the allies of a party, who apply to us for the establishment of their undoubted rights, privileges, and immunities civil and religious, denied to them by those Ministers who ought to be foremost in granting them? *(Hear! Hear! from all sides of the House.)* All I can say is, that I have attentively read the history of the Country, but I have formed a very imperfect notion of its Constitution, if those who oppose Ministers, or who bring forward measures which should originate in them, are to be branded as the instruments of party, and as hostile to those principles to which our free Government owes its existence, and the Country its prosperity, importance, and pre-eminent rank among nations. *(All the usual Parliamentary indications of applause accompanied this sentiment.)* The Catholics came to me, because a better chance of success did not present itself to their hopes. *(Hear! Hear!)* They came to me, because they conceived, and I hope truly, that I would do justice to their cause, and because they thought I would do my utmost to be instrumental in bringing it to a successful issue. Is it to be said, because we are not sanguine in our hopes of success, that therefore we ought not to promote inquiry and investigation upon any subject? Is no man to be justified in moving a question of public concern and importance, merely because he does not conceive it will be carried? *(Approbation from all sides of the House.)* I beg leave to say, that I am decidedly of a different

opinion. I think the House will judge, as Members of a British Parliament ought to judge, that it is their duty to pursue a question of this kind in spite of every temporary obstacle. *(Hear ! Hear ! Hear !)* I am of opinion, that whatever may be, or may have been in another place, the decision upon this question, the discussion will be productive of the greatest good to the country. The complete refutation of the number of false facts which have been advanced, must and will be attended with the best effects. I am confident that the arguments we have heard, whatever effect they may have upon this House, will have their due weight with the Public, and that every man of common sense will see on which side the weight of the argument lies. I am confident, upon another ground, which may be stated as a ground of policy, expediency, and justice, that this discussion will be productive of the utmost benefit, because I am convinced, that if I had refused to present the Petition of the Catholics, and the impression had gone over to Ireland that there was not a Member to be found in the British House of Commons willing to present their Petition, it would have produced a state of despondency and despair in the mind of the people of that country, which would have been fatal to the best interests of the whole Empire. They would rightly, but fatally, as to the probable consequences, have judged that there was not only no party, but no individual in England, to whom they could look up with a confident hope of redress. Is it—can it be—necessary for me to state to this enlightened House, that a more fatal event cannot happen, or is more to be deprecated, than that three-fourths of the population of Ireland should be justified in the dreadful reflection, that there is not a man in England who sympathizes with their sufferings, or who is inclined to exert himself in order to obtain the redress of them?

Although such a reflection may be turned to the extreme disadvantage of the Empire, I do trust that the

the people of Ireland will not reason in this manner. I hope they will not say, "We have no friends in England, and therefore we must look *elsewhere*." *(A general cry of Hear! Hear!)* Yet the time has been when such an inference might have been stated with more probability than perhaps at the present moment. It has been said, "Let us finish the question for ever." When, I would ask, was it known that such a question could be finished for ever? "*Man and for ever!!!*" History shows us, that the most visionary notion ever entertained never went the length of implying that a question of this nature could be finished for ever. Will not the Catholics look back to the Parliament of their own Country?—Refer to the period of the year 1791—*that* was a period when no Member of Parliament could be found to present a Petition in their favour. In the year 1792 their Petition was presented, and it was rejected by a very large majority; the minority consisting, as nearly as I can recollect, of not more than 14 or 15 Members. It was then said the question was closed for ever. I dare say the Gentlemen who stated that, thought the revival of the question would overturn the Protestant Government and the Established Constitution of the Country. They undoubtedly thought that the time for agitating the question was improper and dangerous, and therefore it was that they said the question was, and ought to be closed for ever. Was it closed for ever? Did the event prove that it was closed for ever?—No. On the contrary, within twelve months after the question was said to have been closed for ever, it was resumed, and a majority of that House, which had closed the question for ever, did grant the Catholics more in the year 1793, than in the year 1792 the Catholics had thought it necessary to ask. And in so doing they did right; for, if you look back to the history of this reign, you will find, that, in almost every instance, what has been refused to the humble prayer of any class of subjects, who have considered themselves aggrieved, has been granted

granted afterwards by the fears of Government. When this country was engaged in a war with France, it was fear and imperious necessity which induced you to grant that, than which lesser claims were refused in 1792. Let me not be accused of menace, when I leave it to the consideration of this House, whether, at different periods of the history of this reign, with reference to its various dependencies, Government has not, by sad experience, found, that the best time for granting indulgences, or, to speak more properly, natural rights, would have been when they were first asked for. If this is menace, then I think prudence must be altogether banished from our consideration: there is no claim of right which may not be construed into menace. If we are compelled to satisfy the claim, and, at the same time, are to be told that the claim is menace, I ask how we ought to have acted at the beginning of the American war? How are we to warn you by the example of the past, unless it is by showing you, that, to avoid danger, you should make concessions in time? I must further observe, with regard to the objections which the Right Honourable Gentleman took in point of time, that if his particular object was to conciliate those who were hostile to this measure, not with reference to time, but principle, his objections, in my opinion, have not been very successful. I do not indeed conceive that the Right Honourable Gentleman has urged the argument in our favour with any other than honourable views; but after all the ingenious language we have heard—after all the illiberal arguments which have been advanced, all the ignorance which has been uttered, all the aspersions which have been thrown out, and all the dangerous principles which have been recommended, and attempted to be maintained, for the purpose of rejecting this question for ever; I say, that although I cannot help lamenting we could not have the benefit of his vote, yet I rejoice that we have the advantage

vantage of his discountenancing what, he must feel, reflects as much honour on his principles four years ago, as disgrace now. His vote undoubtedly would have been of advantage to the country; but his speech is of much more advantage. It is not merely the vote of the Right Honourable Gentleman that would be important; but it is of consequence, that in England, Ireland, and every part of the British Empire, it should be known, that the opinion of men in power, or likely to be in power, or whose authority or interest is looked up to with confidence, is favourable to the cause to which the vote of the Right Honourable Gentleman is adverse. I wish we could have had his vote, but I thank him for his argument; and this brings me to another part of his conduct. The Right Honourable Gentleman says, that he finds not only now, but that three or four years past, the public opinion was contrary to mine. If he had brought forward this question when he was out of office, he might have stated some grounds which would have made it less dangerous to be encouraged than at the present moment. If he had stated that fact, and the public had seen that most of the considerable men in Parliament were of one opinion, though his opinion would have done much, yet the argument would have done more, and the public opinion would not, perhaps, have taken the turn he tells us it has: whether it has taken that turn, or not, I doubt; I own I see no symptom of it. There are unquestionably very respectable bodies of men, some of whom have given their sentiments contrary to the opinion I profess: but that there is a generally prevailing opinion adverse to mine, I cannot suspect; I cannot think, that, among rational men, the advantages which present themselves on the one hand, and the dangers which menace on the other, can be overlooked. The claims of the Catholics are not only consistent with the principles of the Constitution, but consonant to its vital spirit; and I hope

and

and trust the public opinion will ultimately be led by reason to that point, to which if it is not led, I am sorry to say, we shall not have the full and effective force and physical strength of the United Empire. If ever there was a time when it was necessary we should have its entire exertion, it is the present. This is a period when all our energies are called into action.

" Toto certandum est Corpore Regni."

But who can say the Country has the effectual advantage of the *Corpus Regni*, while one-fifth of its inhabitants are deprived of those privileges they ought to enjoy, and without which, to them, the Country is nothing? But the argument is taken two ways: first, you say you have no fears from the Catholics, that if you trusted them they would be loyal—and that, therefore, what danger is to be apprehended from them ? I would answer, " Give to them, then, what they claim, as the reward of their loyalty." Are we to argue without reference to the general principles of human nature ? The proper way to weigh the justice of an argument is by the scale of common sense, and the feelings of mankind upon the subject: but if the argument drawn from the loyalty of the Roman Catholics is to be used against them, to their prejudice, I can only say, that it is more disgraceful to the Public than even to the speaker. They, say these Gentlemen, I mean the Roman Catholics, are loyal : I truly believe they are so—nay, I believe that even if you refuse their claims, many in their zeal, public spirit, and loyalty, will go far beyond what they can fairly be called upon for but can I expect as much from the generality of the Catholics? Do we not say, that our Country being under the freest Constitution in the world, the Subject enjoys the greatest degree of Civil and Political Liberty, terms which imply no difference, except that the word Civil is derived from the Latin, and the word Political from the Greek.

 (A laugh.)

(A laugh.) Do we not enjoy the most important privileges of any nation in Europe? We boast that we shall be able to make exertions against the enemy, that the Subjects of Arbitrary Governments cannot be expected to make. Why is this? It is because we are fighting for Laws that are our Laws—for a Constitution that is our Constitution—for those Liberties and Sacred Immunities which no other Country under Heaven possesses the advantages of fighting for. If, Sir, such are the grounds on which, under God, we trust so much to for our success, do they not apply with equal force to another Country, or rather another part of our own Country? And do you not suppose, that those who fight for greater privileges, will exert themselves more than those men who are deprived of the civil and political advantages enjoyed by their fellow-citizens? If the same exertions cannot be expected by those who are deprived of the privileges to which they are entitled, what do we gain by the disabilities we impose on them? You put the Country in the situation in which you are compelled, of necessity, to confess, you have no other expectation than that of comparative exertion. I ask you, whether that is not the true state of the case with regard to the Roman Catholics of Ireland? I will not urge further than I did when I opened this subject, the argument, that the privileges bestowed upon the higher orders of People are, in point of fact, enjoyed by the lower. No answer has been given to the argument, and therefore I must take it as a principle admitted. No one has attempted to contradict the opinion that the lower orders are influenced by the advantages and the privileges bestowed on their superiors. Those who recollect the debates, two years ago, may furnish their minds with as strong an illustration on this subject as any argument can possibly produce. It was two years since an Honourable Member, then Secretary at War, brought in a Bill for raising an army *en masse*. After having

having explained the details of the Bill, as it applied to Great Britain, he did conclude with a short sentence, which every body well understood, and with regard to which no one thought any comment was necessary. The sentence was to the effect, that it was not thought expedient to apply the Bill to Ireland. It would certainly have been indiscretion, in the true sense of the word, either to have applied it to Ireland, or to have commented on the reason for not applying it. Why ? Because it was well known that the mass of the People of Ireland were not like the mass of the People of England—because they consisted of two divided parties, in the lower of which you could not have the same confidence as in the higher ; and therefore it was, that in England, the levy *en masse*, which constituted the best security of the Country, was in Ireland looked to as its greatest source of danger. I will refer Gentlemen to the Bill for promoting our Military Force and National Defence. I remember, in the course of one day's discussion, relative to the Force in Ireland, at the time of the Debate, compared with the period of the Treaty of Amiens, that a statement was made of so much cavalry, so much infantry, so much artillery, and so many fencibles. It was then admitted on both sides, that with regard to such and such regiments, there was a circumstance that made them more particularly useful to the Country—that circumstance was, that there were no Irish among them. *(Violent clamour.)* It was stated and admitted, that for the reason I have mentioned, there were two or three regiments as available as four or five. Apply this to England, or to any other Country that is well governed; would any body say that our military force was strong, because it consisted of foreigners, or that it was weak, because it was composed of Englishmen? Would you not argue, that so much the more would be expected from men who were fighting for their own country, their homes, their fortunes, and all that was dear to them? Why is the argument different

with respect to Ireland? Why do you wish to have regiments in Ireland with as few Irish as possible? The argument is this, and you may reduce it to a syllogism, of which the major is, "Every man is most to be depended upon in proportion to his interest in the Constitution. The minor is, Englishmen are most interested in their Constitution; *ergo*, the conclusion is, Englishmen are most to be depended upon." Apply this, on the other hand, to Ireland, and, altering the terms of the syllogism, the conclusion will be the reverse; the minor will be, that the Irish Catholics are the least interested in the Constitution; and therefore they are the least to be relied on to defend it. Is it on this principle you would have your regiments in England composed of Englishmen, and in Ireland *not* composed of Irishmen? Who are so little interested in Ireland as the Irish Roman Catholics? None. Yet such is the state of that Country, in which you say nothing is to be obtained by gaining over the hearts and energies of three-fourths of the population. It is said, Are not these Noblemen and Gentlemen who compose the higher class of the People of Ireland, loyal? If they are, why would you give them any thing to make them more so? I would give them the same interest in the Constitution of the Country which others have, and then I may reasonably expect similar exertions from them. We say it is little for them to gain, and much for us to give. They say it is much for them to gain, and little for us to give. What is it we give? All we give away is political power. To whom do we give that power? To the Catholics. —Who are the Catholics? Our Fellow Subjects.— *(Hear! Hear!)*—I come now to the objection as to the particular form. It is objected to giving hopes to the Catholics, because it is said, How can I desire the House to go into a Committee, if I do not know that the Committee will support me in all the points in favour of the Catholics? Has not this objection been answered, even by what has been said on less

important points? Supposing two distinct questions, standing on different grounds; surely no one will say, that we ought not to go into a Committee to see whether we cannot give either, because we cannot give both. There are two very different points in this question—Gentlemen speak as if they thought none but members of the Church of England were capable of sitting in Parliament. But do not Dissenters sit in this House? However, in point of doctrine, the Church of England differs from the Catholics, yet it does not differ more than from the Dissenters. With regard to the maintenance and establishment of the Church of England, there cannot be more difference between the Catholics, than there is between the Dissenters and the Protestants. We have forty five Members in this House, who are of a professed Establishment different from our own, and they are not members of the most tolerant sect. It is true, that from the bias of their education, from their intellectual attainments, from the improvement of their minds, and from their enlightened understanding, they are above narrow religious prejudices; yet, from the profession of their Faith, they are not more liberal or tolerant than the Roman Catholics. The Roman Catholics are charged with saying, There is no salvation for Heretics; and the Scots Kirk says, It is blasphemy to assert that any can be saved who are not of their faith. Out of these forty-five Members, not more than three or four could be persuaded to decide with us in favour of the repeal of the Test Act. It is said, How can we employ persons in office who are not of the Established Religion? In Ireland they are acceptable, because there is no Test Act. If it is said that we want to put the Catholics in a better situation than the Dissenters, let it be recollected that we are talking of Ireland. But is it supposed that the Test Act is the means of assuring that every man shall be a member of the Church of England? Do we not know, that in the reign of Queen Anne, Bills of occasional conformity were passed; and that in the reign

reign of George I. many of the Dissenters only took the sacrament to show their disposition in favour of the Established Church, however they might not agree as to parts of the Liturgy? Will any body say that taking the sacrament proves a man to be a supporter of the Church of England? May not a Dissenter take the sacrament, and yet consider the Liturgy of the Church of England as the most consummate bigotry? This leads me to another part of the subject, which was stated by a Right Hon. Gentleman (Sir William Scott), whom, I flatter myself, I may call my friend. The principal flower of his eloquence consisted in the repetition of the word "*must.*" He seemed to think, that the fundamental laws of the Church of England *must* be repealed by granting the prayer of the Catholics.

The exclusion of the Catholics from seats in Parliament, and the existence of the Test Acts, are the props, according to the Learned Gentleman (Sir William Scott), which support the Church of England. What then was the state of the Church of England in the reigns of Elizabeth, of James the First, and Charles the First? Were these Princes not the heads of the Church as effectually as his present Majesty? Nay, would it not be deemed the grossest abomination to doubt, even, that Charles the First fell a martyr to the Church of England? Yet, throughout the reigns of these Princes, Roman Catholics sat in Parliament, and the Test Act had no existence. Granting the Thirty-nine Articles of the Church of England to be not repugnant to the free principles of the Constitution, as established in the reign of King William; yet the Homilies which follow are by many stated to be an absolute condemnation of the very thing which took place at the time of the Revolution. Nay, did not Sacheverel openly attack, and, upon the authority of these Homilies, stigmatize that great proceeding as impious, and utterly destructive of the Church of England? Now, with regard to those learned places which form

a repository

a repository for the essential doctrines of religion, I mean the Universities, in one of which (the University of Oxford) I had the honour to receive part of my early education, if I was to produce the decree of that University of 1683, against limited Government, describing it as one of those things which lead to atheism, what would be said of it? Some of the best of men have come from that University. None more so than the Learned Gentleman; but I do beg, to use a plain homely phrase, that they will not throw stones whose eyes are made of glass. I do not advise the High Church party to look so narrowly into the history of the Catholics, and into all the violence of their decrees, in order to disqualify them from being amalgamated and reconciled with the Constitution of this Country. It has been said by a Learned Gentleman, that the Roman Catholics wish to overturn the Established Religion of the Country. To this I answer, that there are good subjects of all sects and persuasions, in all countries, who, dissenting from the Established Religion, yet pay obedience to the opinion of the majority. I am surprised it should have been said by an Hon. Gentleman (the Attorney-General), that if he was a Catholic in a country where the Protestant Church was established, and he had the power, he would exercise it to weaken the Established Religious Government. I have too good an opinion to think so of him. If every man was to conceive himself at liberty, because he differed from the Established Religion of a country, to attempt to overturn it, the general tendency of such a principle would be to destroy all peace in the world. I do not believe any good Catholic would so act—I am sure no good subject, who loves his country, ought so to act. The question is this—Here are persons who apply to you, not for exclusive privileges, but simply to be placed on a footing with all others of His Majesty's subjects. It is a claim of justice. If you refuse it, the burthen of proof lies on you, to

to show the inconvenience or danger of granting their claim. Nothing of the sort has been proved; you have argued it only by referring to old times, differing from the present. The question comes to this—Whether, in the state in which we are, it can be the conduct of a wise and prudent Government to separate from itself so large a proportion of the population of the country as the people of Ireland? No Statesman, no man who can judge of the affairs of the world, will think so. I should hope that those who wish well to the country will support my motion. If it should, however, unfortunately fail, we shall all have done our duty in arguing the question, with a view to induce those to adopt our opinion, who are at present under a fatal delusion with regard to this momentous subject. I should notice one thing—it is, that you have raised this question, and not the Petition. The Petition has nothing of the seeds of turbulence in it—You will, I trust, draw the hopes of Ireland to this country—make the people of Ireland look to us as their best reliance, and prevent their recurring to any criminal measures. I should now have done, but for the observation of an Hon. Baronet. He says, Why should you give all this to the Catholics of Ireland, and not grant the same to the Catholics of England? In the first place, the Catholics of England have not petitioned. I have no doubt as to the propriety of putting the Catholics of England on the same footing. I have no doubt they would finally obtain the same privileges. Those who know the Catholics of England, who know the character of the lower ranks of the people, are sensible how little danger would result from the Catholic Peers sitting in the House of Lords, or Catholic Members in the House of Commons. Every man must perceive that it would be beneficial to the country, particularly at a time when every man is called upon to show his zeal in the service, and in the general cause of the Empire. I have only to add, in answer to an Hon. Gentleman opposite,

site, that I was in Ireland a great while ago; but it did not appear to me that the condition of the country was calculated to reconcile gentlemen who visited it to its general laws. The gentlemen of Ireland ought to be listened to with very considerable attention. From what I have seen in the course of this debate, I think I shall find, on the division, that I shall have the honour of dividing with more of the gentlemen of that country than ever I had on any former occasion. I believe it will be long before the speeches we have heard from them will be forgotten. The question is important in the highest degree. The only way of putting an end to the hopes of the people of Ireland will be by creating despair; and if ever I hear that they are deprived of those hopes they ought to entertain, I shall despair of those blessings, of that mutual good-will and reciprocal sympathy, without which England can never rely on the effectual and sincere co-operation and assistance of Ireland against the common enemy."

At half past four in the morning the question was put on Mr. Fox's original motion; when the House divided,

Ayes - - - -	124
Noes - - - -	336
Majority - - - - -	212

THE END.

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APPENDIX.

The following is a faithful Translation of the Queries submitted to the Faculties of Divinity in the Catholic Universities of Paris, Louvain, Doway, Salamanca, Alcala, and Valladolid, in 1789, *on the Subject of those Tenets imputed to Catholics, of keeping no Faith with those who differ from them in Religious Tenets; and of the Power of the Pope to absolve them from their Allegiance to Protestant Princes; with the Answers of the said Faculties respectively thereto.*

1st. HAS the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England?

2d. Can the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

3d. Is there any principle in the tenets of the Catholic Faith by which Catholics are justified in not keeping faith with Heretics, or other persons differing from them in religious opinions in any transactions, either of a public or private nature?

The Faculty of Divinity at Louvain having been requested to give her opinion upon the questions above stated, does it with readiness; but struck with astonishment that such questions should at the end of this 18th century be proposed to any learned body by inhabitants of a kingdom that glories in the talents and discernment of its natives.

The Faculty being assembled for the above purpose,—It as agreed, with the unanimous assent of all voices, to answer *the first and second queries* in the *negative*.

The Faculty does not think it incumbent upon her, in this place, to enter upon the proofs of her opinion, or to shew how it is supported by passages in the Holy Scriptures, or the writings of antiquity: that has already been done by Bossuet, De Marca,

 the

the two Barclays, Goldastus, the Pithæuses, Argentre, Widrington, and his Majesty King James the First, in his Dissertation against Bellarmine and Du Perron; and by many others. The writers of the present times who have treated of the independence of the civil power, have proved the above positions with abundance of learning. The Faculty esteems the following propositions to be beyond controversy.

1st. That God is the Author of the Sovereign Power of the State, in civil matters.

2d. That the Sovereign Power of the State is, in civil matters, subordinate to God alone.

3d. It follows, that the Sovereign Power of the State is in no-wise (not even indirectly, as it is termed) subject to or dependent upon any other power, though it be a spiritual power, or even though it be instituted for eternal salvation.

4th. It also follows, that no power whatsoever, even a spiritual power, or a power instituted for eternal salvation, not even a Cardinal, or a Pope, or the whole body of the Church, though assembled in general council, can deprive the Sovereign Power of the State of its temporal rights, possessions, government, jurisdiction, or pre-eminence; nor subject it to any restraints or modifications.

5th. It also follows, that no man, nor any assembly of men, however eminent in dignity and power, not even the whole body of the Catholic Church, though assembled in general council, can, upon any ground or pretence whatsoever, weaken the Bond of Union between the Sovereign and the People; still less can they absolve or free the subjects from their oath of allegiance.

6th. Therefore, as in the kingdom of England, the Sovereign Power of the State stands upon the same foundation, and its nature is well known. The Faculty of Divinity at Louvain has no doubt to apply what has been said before, in its utmost extent, to the kingdom and the Sovereign Power of the kingdom of England.

Such is the doctrine which the Faculty of Divinity has imbibed from the Holy Scriptures, the Writings of the Antients, and the Records of the Primitive Church:—a doctrine she will maintain with her last breath; and, by the help of God, will imprint it on the minds of all her scholars.

She is not ignorant that, in the middle ages, some things were done not reconcileable with the doctrine here laid down, and that the contrary doctrine was favourably heard by the Court of Rome, and even found its way into the councils of Kings, with some restrictions,

striction, however, as appears from the saying of St. Lewis upon the proceedings of the Council of Lyons.

But to Bellarmine, the champion of these proceedings, we must answer in his own way:—These things have been done: for their justice let the doers of them be answerable. (Vol I. of his Works of General Controversy, III. B. 11. Ch. 29.)

And when, in the History of those Ages, the Sacred Faculty of Divinity of Louvain finds the evils which have been produced from the circumstances alluded to, the infinite detriment they have been to the Church and Republic of Christianity, and the rivers of blood with which they have more than once coloured the fair face of Europe,—she wishes the torch of history extinct, that this disgrace of the Christian name might be buried in oblivion. She wishes it erased from the records of history, and would blot out the remembrance of it even with her own tears. But the doctrine of truth of the Apostles and the Church, delivered down by tradition from the fathers and holy Prelates, founded in the eternal nature and fitness of things, and established on the positions above mentioned, though in the times we speak of it was defaced and obscured by the filth, as it may be called, which was heaped upon it, yet it could not be obliterated; nothing could injure it; no arts could prescribe against it: hence, on the revival of letters, all its light and splendor were restored to it.

The Faculty of Divinity of Louvain holds,—That the principles laid down by her upon the positions before stated, are not peculiar to herself; she believes, that at this day there is no society of learned men, nor any one learned man in the whole Catholic world, who would not be ready to subscribe to them, as it is said, with both hands; and should any one, led away by preconceived opinions, withhold his assent from them, she must think him a man of no learning, unworthy of the name of a learned man, and unacquainted with the rich treasures of ancient literature.

Proceeding to the third question, the said Faculty of Divinity (in perfect wonder that such a question should be proposed to her) most positively and unequivocally answers, That there is not, and that there never has been, among the Catholics, or in the doctrines of the Church of Rome, any law or principle which makes it lawful for Catholics to break their faith with Heretics, or others of a different persuasion from themselves, in matters of religion, either in public or private concerns.

The Faculty declares the doctrine of the Catholics to be, That the divine and natural law which makes it a duty to keep faith and promises, is the same; and is neither shaken nor diminished if those with whom the engagement is made hold erroneous opinions in matters of religion.

The said Faculty of Divines reads in the Books of Chronicles, that the wrath of God punished King Sedicias for breaking the alliance he had made with Nebuchadnezzar, an unbeliever, and in breach of that alliance deserting to the King of Egypt; and the heavy rebuke of God, by his prophet, for this breach of faith (Ezekiel xvii.): "Shall he prosper, shall he be safe, that hath done these things, and shall he escape who hath broken his "covenant? As I live, saith the Lord, for the oath that he hath "despised, and the covenant that he hath broken, I will put "upon his head, and I will spread my net upon him, and he "shall be taken in my snare, and I will bring him to Ba-"bylon," &c.

And the said Faculty of Divines also thinks, that it is unbecoming of them to heap up passages of the ancient writings, to prove what no Christian can doubt, and which not even the apostates from the Christian Faith ever laid to their charge. "They affirmed," (this is the account which Pliny the Younger, in his famous Letter to Trajan, gives, from those who had sent informations to him of the Christian Religion) "that the amount "of the guilt or error of the Christians was, that they used, "upon a stated day, to assemble before day-light, to sing praises "to Christ, as to the Deity, and that by their oath they did "not bind themselves to commit any crime; but they bound "themselves by it not to commit theft, robbery, nor adultery, not "to break their faith, not to withhold things deposited with "them," &c. This, in the year 104 of our æra. They were informed by the Church of God, it was among the principal points of Christian duty, viz. *Not to break Faith*, although they lived in the midst of persons of a different religion.

The said Faculty strongly protests against the imputation, that the Catholic Church has at any time held a contrary doctrine. This she asserts is a calumny, invented and endeavoured to be forced on the Catholics by the worst of men, who, knowing their charges against Catholics were destitute of truth, determined to make falsehood supply its place, and thereby render the Catholics odious to princes and nations.

It is not to-day for the first time, that the Faculty of Divinity at Louvain protests against this charge:—two centuries ago, when there was great diversity of opinion in religious matters among the inhabitants of the Provinces of Flanders, John Morlanus, an illustrious Member of the Faculty of Louvain (every page of whose writings Cardinal Baronius wished to be preserved) repelled the charge, in his short Treatise upon the Keeping of Faith with Heretics, printed at Cologne, by Godfrey Kempenson, in the year 1584.

In that work he calls the tenet, *That Faith is not to be kept with Heretics*, " a most pernicious evil, and a most impious doctrine, " ascribed to the Catholics, and spread abroad by those men " who, rather than peace should be made, wished to throw every " thing into confusion, that thus no harmony, no articles of " peace, of equity, or honesty might be received by persons dif- " fering from them in religious matters. Against these persons, Molanus maintains and defends " the Innocence," to use his own words, " of the Christian Republic."

In his steps the said Faculty of Divines now treads: always ready to defend the same cause, and to combat the calumnies of its adversaries, she now does it by this public writing.

In testimony whereof, to this instrument, authenticated by the Seal of our University, undersigned by our Dean, we have ordered the Bedell to subscribe his name.

Given at Louvain, in an Assembly Extraordinary, this 18th November, 1788,

J. B. DE MAZIERE,
S. T. D. and Dean for the time being.

(L. S.)

By Command of my excellent Lords and Masters,

J. F. VANOVERBEKE,
Bedell of the Sacred Faculty of Divinity.

Extracted from the Register of the Sacred Faculty of Divinity of the University of Doway.

JANUARY 5, 1789.

At a Meeting of the Faculty of Divinity of the University of Doway, the Dean informed them, That the Catholics of England were desirous of the opinion of the *Faculty* upon three Questions, the tenor of which was as follows:—

1st. Has the Pope, by virtue of any authority, power, or jurisdiction, derived to him from God, or have the Cardinals, or even the Church herself, any civil authority, civil power, or civil jurisdiction whatsoever in the Kingdom of England?

2d. Can the Pope, the Cardinals, or the Church herself, absolve or free the subjects of the King of England from their oath of allegiance?

3d. Is

3d. Is there any principle of the Catholic Faith by which Catholics are justified in not keeping faith with Heretics, or other pesons who differ from them in religious opinions?

These questions first having been privately considered by each Professor of Divinity, and afterwards having been attentively discussed at the Public Meeting,

To the first and second of them, the Sacred Faculty answers,—That no power whatsoever, in civil or temporal concerns, was given by the Almighty, either to the Pope, the Cardinals, or the Church herself; and, consequently, that Kings and Sovereigns are not, in temporal concerns, subject, by the ordination of God, to any Ecclesiastical Power whatsoever; neither can their subjects, by any authority granted to the Pope or the Church from above, be freed from their obedience, or absolved from their oath of allegiance.

This is the doctrine which the Doctors and Professors of Divinity hold and teach in our schools; and this all the candidates for degrees in divinity maintain in their public theses.

To the third question the Sacred Faculty answers,—That there is no principle of the Catholic Faith by which Catholics are justified in not keeping faith with Heretics, who differ from them in religious opinions. On the contrary, It is the unanimous doctrine of Catholics, that the respect due to the name of God, so called to witness, requires, that the oath be inviolably kept to whomsoever it is pledged, whether Catholic, Heretic, or Infidel.

The Answer of the Faculty of the Canon and Civil Law in the same University of Douay.

Having seen and attentively considered the above written questions, and the answers of the Sacred Faculty of Divinity to them, the Faculties both of the Canon Law and of the Civil Law declare, That they, without hesitation or doubt, concur in the aforesaid answers of the 5th instant; and that they have always firmly believed, and uniformly taught, that neither the Cardinals, nor the Pope, nor even the Church herself, have any jurisdiction or power, by divine right, over the temporals of Kings, Sovereigns, or their subjects; and, consequently, that Kings and Sovereigns are not, in temporal concerns, subject by the ordination of God, to any ecclesiastical power whatsoever; nor can their subjects, by any authority granted to the Pope, or the Church, from above, be freed from their obedience, or absolved from their oaths of allegiance.

Further,

Further, The Doctors of these Faculties declare, That an oath implies an obligation of natural and divine right, by which the party is bound to perform the promise contained in his oath to whomsoever that promise be made, whether he be a Catholic, an Heretic, or an Infidel; and that no person, through pretext of heresy or infidelity in the party to whom the promise is given, can be released from his obligation. The Catholic Religion, far from admitting any principle by which oaths can be dispensed with, holds such perjuries in abhorrence.

The Answer of the Sacred Faculty of Divinity of Paris, to the Queries proposed by the English Catholics.

The Dean and Faculty of Divinity in the University of Paris to all who shall inspect these Presents, send greeting.

Certain Queries, the tenor of which is as follows, have been transmitted to us from England, in the name of the Catholics living in that kingdom :—

1st. Has the Pope, the Cardinals, or any body of men, or any other person of the Church of Rome, any civil authority, civil power, or civil jurisdiction, or civil pre-eminence whatsoever, in the Kingdom of England, by reason or by virtue of any authority, power, jurisdiction, or pre-eminence, inherent in or granted, or by any other means belonging to the Pope or Church of Rome ?

2d. Can the Pope, the Cardinals, or any body of men, or any person of the Church of Rome, absolve or release the subjects of the King of England from their oath of allegiance ?

3d. Is there any principle in the articles of the Catholic faith, by which Catholics are justified in breaking faith with Heretics, or others, who differ from them in religious opinions ?

They beg us to give our opinion in a solemn instrument upon these questions, that, by it they may repel, as well from themselves as from the Catholic faith to which they are inviolably attached, all evil suspicion, as well on those points which relate to the right of the sovereign under whose government they live, as on those which relate to the public faith and peace of England, which upon no pretence ought to be disturbed.

Bound to satisfy every person who asks our opinion on doctrinal matters, and never having entertained any doubts upon the points in question, we opine, determine, and judge as follows :—

The

The Answer to the first Quære.

Neither the Pope, nor the Cardinals, nor any body of men, nor any other person of the Church of Rome, hath any civil authority, civil power, civil jurisdiction, or civil pre-eminence whatsoever in any kingdom, and consequently none in the kingdom of England, by reason or virtue of any authority, power, jurisdiction, or pre-eminence, by divine institution inherent in, or by any other means belonging to the Pope or the Church of Rome.

This doctrine the Sacred Faculty of Divinity of Paris has always held, and upon every occasion maintained; and upon every occasion has rigidly proscribed the contrary doctrine from her schools.

Among the many proofs of this (to avoid mentioning all of them) we shall state a few instances; which, being nearer to our times, are not liable to objection.

In the year 1626 a censure was published against the following propositions, extracted from the Treatise of Santarellus: "De "Hæresi Schismate Potestate summi Pontificis in his delictis "puniendis."

"The spiritual power of the Church entrusted to its Prelates, "extends indirectly, even to temporals, to the end that it "may conveniently help the faithful to their spiritual end, and "supply the defect of the temporal power, if the temporal power "should be negligent in the execution of her duty, or abuse the "power which is particularly true with respect to the crime of "heresy.

"The Pope can inflict temporal punishment on Sovereigns for "heresy, and deprive them of their kingdoms, and free their sub-"jects from their obedience.

"The Pope hath both temporal and spiritual power by divine "right."

"The Pope has, at least indirectly, a power over Princes in "temporals, inasmuch as temporals may prove an impediment "to their direction of the sheep of Christ to their supernatural end."

"The Pope has a directory, and consequently a compulsory "power over Princes who do wrong."

"If, for the common good of the Church, wisdom and sound "reason require that temporal punishment should be inflicted "on disobedient and incorrigible Princes, or even that they should "be

" be dethroned, the Pope has a right to punish them in that " manner."

" The Apostles were subject to their Sovereigns, *de facto*,—but " not *de jure*."

The Sacred Faculty of Divinity condemned the doctrine contained in these and similar propositions, " as new, false, erro- " neous, contrary to the word of God, bringing odium on the " Papal dignity, giving occasion to schism, derogatory to the " sovereign authority of Kings (which depends upon God alone) " impeding the conversion of infidel and heretical kings, as tend- " ing to disturb the public peace, to subvert Kingdoms, States, " and Republics, to withdraw subjects from their obedience and " subjection, and to excite them to faction, rebellion, sedition, " and the murder of their Sovereigns."

In this censure the other Faculties of the University of Paris, and several other Universities in France, as Toulouse, Valence, Bourdeaux, Poitiers, Caen, and Rheims, concurred with great applause.

The Articles laid before Louis the XIV. in 1663, by the Sacred Faculty, agree with the above censure. By them it is declared, " That it is the doctrine of the faculty, that the King of " France neither acknowledges nor has in temporals any supe- " rior but God; that this is her ancient doctrine, from which she " will never depart. Moreover, that the Faculty has always " opposed, even those who were of opinion that the Pope had " in temporal concerns an indirect authority over the King of " France."

And when in 1682, in the censure hereafter referred to, the Sacred Faculty expressly observes, " That the grand principle " of their doctrine (viz. that the sovereign power of Kings de- " pends upon God alone, and that no one has any right to in- " terfere in their temporal concerns) has been frequently re- " peated by them, particularly in their solemn declaration of the " year 1663." This sufficiently shews that, in the declaration of 1663, they stated nothing to the King of France but what they considered as common to him with all other Kings.

Thus in 1682, when Malagola interpreted the power " of binding and loosing" which Christ gave to Saint Peter and his successors, as relating both to the secular and ecclesiastical power, the Sacred Faculty declared that this doctrine resolved itself into the same doctrine which she had before condemned in Santarellus; she used the very same words and the very same expressions of censure which she has used in regard of Santarellus; she took that occasion to renew her censure of Santarellus;

and struck the name of Malagola from the list of candidates for the degree of Bachelor.

Of the uniformity of our doctrine upon this head, the celebrated Declaration of the French Clergy, published in 1682, will be an eternal monument; the first article of it is as follows; and it well expresses the genuine sentiments of the Faculty :—

" To Saint Peter and to his successors, the Vicars of Christ, " and to the Church :—Power was delegated by God in concerns " of a spiritual nature and belonging to eternal salvation; but " not in civil or temporal concerns, as appears by the expressions " of our Lord :—*My kingdom is not of this world:* and again, " *Give, therefore unto Cæsar those things which are Cæsar's, and* " *those which are God's, to God.* On the same ground stands the " saying of the Apostle :—*Let every soul be subjected to the higher* " *Powers, for there is no power but from God, for those which are* " *ordained from God :*—whoever, therefore, resists power resists the " ordination of God. Kings and princes, therefore, are not in " temporals subjected by the ordination of God to any ecclesiastical power, either directly or indirectly; neither by the authority " of the Keys of the Church can they be deposed or freed from " their faith, obedience, or oath of allegiance: that this opinion " was necessary to public peace, equally useful to the Church and " State, and agreeable to tradition and the example of the Fathers; " and should, therefore, upon every account be adhered to."

Ever since the year 1682 it has been the will of the Sacred Faculty of Paris, that this doctrine should, in the very words of the Declaration, be taught in her schools: and it is a law and uninterrupted usage of the Faculty, that,—All the Bachelors, before they take their Degree of Licentiates, should maintain it in their Public Theses.

Thus, in the course of time, has this doctrine become so completely established with the Divines of Paris, that whenever their opinion has been asked on private concerns, they have never answered otherwise than conformably to it.

In 1680, Sixty Doctors of the Sacred Faculty declared it to be their opinion, that, The English oath of allegiance, which mentions the independent sovereignty of the Kings of England in temporal concerns, might be taken by English Catholics with a safe conscience.

Such also was the opinion of Sixty of our Body, who, in 1775, held, that,—" The *English* Catholics might, with a safe conscience, " swear,—That the Pope had not by Divine Ordination any kind " of temporal right in any kingdom; particularly naming *Ireland.*"

Thus

Thus have we declared our opinion on the first Question: an opinion not merely probable, but certain; not variable and unsteady, but constant and perpetual; not suggested by others, but the fruit of our own study; not dictated to us by law, but antecedent to law itself.

Our Faculty devotes herself the more religiously to the defence of this doctrine, because she finds it perfectly consonant to the Word of God and the Tradition of the Fathers.

For there is not in the Scripture any mention of any right granted by Christ to Ecclesiastical persons, or to the Roman Pontiff, who is their head, to interfere in temporal concerns, to dethrone sovereigns or to place others in their stead. On the contrary, Christ incessantly inculcates, that, notwithstanding the promulgation of the Gospel, kingdoms remained in the same state in which they were constituted by the rights of nations and people; that the civil power remained distinct in her own order, her own duties, and her own actions, untouched, and in full possession of her former rights; that the empire of Cæsar should ever be safe from his empire; and that earthly kingdoms would never be in any danger from the laws of his kingdom. To this refer the former passages cited above by the French Clergy. John xviii. 33. Matt. xxii. Rom. xiii.

Conscious of the Divine Authority of their office, and that they should have the assistance of Heaven in the discharge of it, the Apostles never taught those to whom they committed the care of the Churches, that the Civil Power was in matters of a temporal nature obnoxious to it, either directly or indirectly.

And certainly those with whom the Apostolic tradition was first deposited, were far from claiming any power in civil or temporal concerns. Every person is apprized of the famous passages in Tertullian's Letters to Scrapula, and in his Apology:—"We venerate the Emperor," says he, "as the person next to God; and "in what he derives from God, inferior only to God; the empe- "rors know, that to God alone they are subject; to God alone "they are second: after God, they are first in order." This was the language of the Christians in times when the numbers of them were so great, that the same writer observes they filled the towns, the islands, the corporations, and even the armies of the Emperors.

Osius, who presides at the Council of Nice, writes thus to the Emperor Constantius:—"To thee, God has committed the Em- "pire; to us, he has intrusted his Church; and as those, who "with evil eyes, look at your empire, contradict the Divine ordi- "nation, so it is with respect to us; for it is written,—'Render to "Cæsar's

" Cæsar's, give to Cæsar: what is God's, give to God. It is un-
" lawful for us to hold an earthly empire." &c.

St. Augustin in his 115th Treatise on the Gospel of Saint John, cried out without hesitation,—" Hear, O, ye empire of the " World! I interfere not with your sovereignty in this world; my " kingdom is not of this world."

Pope Gelasius writes thus to the Emperor Anastasius,—" The " government of the world acts on two things; the Sacred Au-
" thority of the Bishops, and the Power of the Kings. Each is " chief, each supreme; nor do the duties of the one interfere with " the duties of the other, so far as to the order of public disci-
" pline belongs:—the Bishops of the Church recognizing the " sovereignty conferred upon you by the Authority of God, " obey you," &c.

We shall adduce no further proofs, lest our answer should swell to an immense size. That learned work of Bossuet, *Defensio Cleri Gallicani*, throughout the whole of the second part, contains many striking proofs, that this doctrine is an Apostolic tradition.

Answer to the Second Query.

" Neither the Pope, nor the Cardinals, nor any body of men, " nor any person of the Church of Rome, can, by virtue of the " Keys, absolve or free the subjects of the King of England from their oath of allegiance."

This and the first Quære are so intimately connected, that the Answer to the first immediately and naturally applies to the second.

For,—What greater authority over a Sovereign can be conceived, than the right of absolving and freeing subjects from their oath of allegiance? How well it might be said that the kingdom of Christ was of this world, if the right of deciding on the taking away of kingdoms were annexed to it, and could be conferred by it upon the ministers of the Church!

It were needless to repeat here what we said at some length upon the first Query, or to copy the passages we cited before from the declaration of the Gallican Church, and her censures of Santarellus and Malagola; it is, however, observable, that the third of the Articles of the year 1663, particularly regards this Query:—" The doctrine of the Faculty is, That the obligation " of allegiance and obedience which the subjects of the King of " France owe their Sovereign, is of such a nature that it cannot " by any pretence be dispensed with."

The

The words of the English oath of allegiance should be attended to. " The Pope has not, by himself or by any authority, " granted to the Church, or the See of Rome, or by any other " means, or with any other person, any authority to depose the " King, or to free any of his subjects from the oath of allegiance " or their obedience."

The Answer of the Doctors to the Catholics of Ireland in 1775, upon the Third Query, is, " The doctrine of the right of the " Popes to depose princes excommunicated, is *heretical materialiter* (as it is termed by the Schools); that is, contrary to " the very word of God."

Answer to the Third Query.

" There is no tenet in the Catholic Faith by which Catholics " are justified in not keeping faith with Heretics, or those who " differ from them in matters of religion."

The tenet, *That it is lawful to break faith with Heretics*, is so repugnant to common honesty and the opinions of the Catholics, that there is nothing of which those who have defended the Catholic Faith against Protestants have complained more heavily, than the malice and calumny of their adversaries in imputing this tenet to them.

We have already mentioned the Answer of the Sixty Doctors of Paris, consulted by the Irish Catholics in 1775 to a similar query;—we adopt it in all its parts: and with respect to the principle of the tenet which the English Catholics fear, lest by reason of some preconceived opinions it should be imputed to them,—As it is rejected by Christians of every communion, and is repugnant to the fundamental principles both of natural and revealed religion, we cannot think it incumbent on us to enter upon the subject; and we think it requires no discussion.

Thus, then, the Sacred Faculty considers it to be certain, That no power, in civil or temporal matters, was given by Christ to St. Peter, or his successors, or the Church of Rome, or annexed to her power, in things spiritual or relating to eternal salvation, that subjects cannot be absolved from their oath of allegiance to their temporal Sovereign; that nothing can excuse them in breaking faith with Heretics; that this is the doctrine of the Catholic Church, and that it is founded on Scripture and tradition.

Given at Paris, in the General Assembly of the Sorbonne, held on Thursday, the 11th Day before the Calends of March, 1789,

LE CHEVALIER,
Decanus Sacræ Facultatis Parisiensis.

De mandato Venerandi D. Decani ac Magistrorum Sacræ Facultatis Parisiensis. HARDY, Scriba.

The

The Judgment of the University of Alcala, concerning Three Questions proposed to it by his Catholic Majesty, and their most beloved Soverign Charles the Fourth.

1st. Has the Roman Pontiff, or the Cardinals of the Holy Roman Church, or any Council, or any individual of the Catholic Church, by virtue of their communion with that Church, any civil authority, civil power, jurisdiction, or pre-eminence in the Kingdom of Great Britain?

2d. Can the Roman Pontiff, the Cardinals of the Holy Roman Church, any Council or individual of the Catholic Church, absolve the subjects of his Britannic Majesty from their oath of allegiance, or dispense with its obligations?

3d. Among the Articles of the Catholic Faith is there any which teaches, That Catholics are not bound to keep faith with Heretics, or with persons of any other description, who differ from them in matters of religion?

Answer to the First Question.

It is the opinion of the University, that none of the persons mentioned in the proposed Question, either individually or collectively, or in any Council assembled, whether laymen or prelates, have any right to civil authority by virtue of their communion with the Catholic Church; and that therefore the civil authority, civil power, jurisdiction, and pre-eminence which many Catholics possess, is not derived to them from the circumstance of their being Catholics, but from the very same sources as to many others who are not Catholics, viz. from inheritance, election, the consent of the people, and other titles of that nature. For the right of governing kingdoms in civil concerns, as well as of possession, were instituted before the Catholic Church was founded by Jesus Christ our Lord, the Author of that divine law by which it is governed; and he expressly declared that he left those rights untouched; saying to Pilate, "My kingdom is not of this world—but now my kingdom is not from hence." (John xviii. 36.). The sense of which words has been aptly explained and illustrated by the great Saint Augustin (Trac. 115, in Joan. n. 2.):—"Listen," says he, "ye Jews and Gentiles; hear "this, ye circumcised and uncircumcised; hear it all ye nations "of the earth: I interfere not with your dominion in this world. "Be not you seized with that groundless fear with which Herod "trembled when the birth of Christ was announced in Jerusa-"lem." The same are the ideas of the Apostle Paul, conveyed in these words, in his Epistle to the Romans:—"Let every soul "be subject to the higher powers." On which St. John Chrysostom

sostom has this commentary:—" On this subject," says he, " Paul has spoken frequently in his other epistles also, inculcating the obedience of subjects to their princes, as of servants " to their masters; showing that Christ did not introduce his " laws with a view to the subversion of the laws of civil polity, " but to amend them, and to prevent superfluous and useless " wars. By this method he more successfully attracted Infidel " Princes to religion and piety, and the faithful to proper obedience."

No other power has been given to the faithful by Christ our Lord, but that which John the Evangelist has described in a few words; that is, the power to be made the sons of God. All other emoluments and comforts of this life he would have them share in common with others, even with the worshippers of the Evil Spirits; which, as St. Augustin puts us in mind, has been so ordered by the mercies of our Saviour, lest those who believe in him should desire such things from his hands as their principal good. (Lib. V. de Civ. Dei. c. xxiv.) These words, by their own weight, and by the authority of St. Augustin, who was himself a Prelate, demonstrate, that Prelates have no right to such things, in consequence of their communion with the Catholic Church. Certainly, the more exalted is their dignity, the more indecorous it would be in them to expect from Christ these worthless earthly things as their sovereign good.

Doubtless, Prelates are possessed of a high power, jurisdiction, authority, and pre-eminence, for the dispensing of Divine Mysteries,—not for the administration of human concerns, as Pope Symmachus observes, or as St. Bernard expresses it, —A power over crimes, not over earthly goods; insomuch, that human and terrestrial things are not the objects of their power, but are a harvest belonging to others; the property of the Civil Magistrates and Princes of the earth. (De Cons. ad Eug. c. 6. lib. v.)

Answer to the Second Question.

Having considered the state of England, and the situation of its Sovereign, the University in like manner is of opinion, That none of the persons mentioned in the proposition has a power to absolve the Subjects of his Britannic Majesty from the oath of allegiance which they have taken, or are bound to take to his said Majesty, or to dispute with its obligations; understanding with St. Augustin and St. John Chrysostom, and even the Apostle St. Paul, those passages of the Sacred Scriptures which promise to just men and believers in Christ deliverance from subjection, as speaking of a future state after this mortal life.

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We see that St. Augustin explains those words of the Psalm:—The Lord will not leave the rod of sinners upon the lot of the just (Ps. cxxiv. Aug. ibid.) By compariug them with the text of St. Paul to the Ephesians,—Servants be obedient to them that are your masters, according to the flesh (c. vi. v. 5.) in the following manners:—" Christ has no intention to nourish any pride " in your hearts during the days of your earthly pilgrimage; it " has been your lot to become a Christian while you have a man " for a master: you are not made a Christian, that you may disdain to be a servant. While you serve a man in obedience to " the injunctions of Christ, you serve not man but Christ, who " gave such injunctions. Behold, he hath not given freedom to " slaves; but of bad slaves he makes them good ones! How " much are the rich indebted to Christ for preserving order in " their domestic establishments! If there be in them an unbelieving slave he converts him to his faith; but does not say to " him, Leave thy master. It is unjust, that he who is a righteous " man, and a believer, should be a slave to one who is a criminal " and an Infidel! He says not this; but commands him to " serve with greater fidelity. And that he might inspirit his follower to this conduct, he hath said,—' Serve, because I before " you have served the wicked.' St. Augustin confirms this doctrine by the example of the Catholics, who shewed a ready obedience to Julian, an Infidel, apostate, and idolater; and after " having subjoined, ' What I have said of a master and slave, must " be understood of Potentates and Kings, and all the high power " of this world,'—he concludes, that the words of the Psalm must " be understood in this sense:—' The rod of sinners is felt for a " time, but it shall not remain; we shall not be aggrieved by it " for ever.' And he adds,—' Unjust men are sometimes exalted " to the honours of this world. When they attain to them, and " are constituted Judges and Kings, since God permits this for " the correction of his people, it can only be, that due honour " may be given to the dignity with which they are invested."

Thus, does St. Augustin expressly declare it be the sense of the Apostle,—that not he, but the Lord, commands subjects to be obedient to the princes during the days of this transitory life; and, although they may be just and faithful followers of Jesus, to look out for an entire emancipation from subjection, only in the world to come. Hence it also follows, that these other words of the Apostle, when writing to the Corinthians (1 Cor. vii. 20, 21.) he says,—" Let every man abide in the same calling in which he was called." " Wast thou called, being a bondman? care not " for it; but if thou mayest be made free, use it rather;"—are to be taken in their literal sense; and they are easily applicable to the subjects of his Britannic Majesty.

St. John Chrysostom agrees with St. Augustin in every part of this doctrine; and, moreover, declares the obligation of civil obedience

dience to be incumbent on all;—" Whether you be an Apostle," says he, " or an Evangelist, or a Prophet, or any thing else." And he searches into the origin of this obligation, saying,—" If " it be our duty to do good to those from whom we receive injuries, " how much more strictly are we bound to be obedient to those who " load us with benefits? It is not a little that is contributed by " Princes towards the comforts of our present existence; when " they take arms, repel our enemies, quell seditions in the cities, " and put an end to every vexatious litigation,—do not tell me," he proceeds, " that their power is frequently abused; but con- " sider the advantages which flow from the establishment of civil " authority, and you will discover much wisdom in the institu- " tion:—for where there is no government, there is the reign of " confusion, and of every evil. Render, therefore, to all men " their dues; tribute to whom tribute is due, custom to whom " custom, fear to whom fear, honour to whom honour; owe no " man any thing,—but to love one another." He has not said Give, but Render; and he has added, their dues; for in this you are not conferring a favour. " If you reply, that as a Disciple " of Jesus, you enjoy higher privileges,—know that your time is " not yet come; you are a stranger and a pilgrim; the day will " arrive when you will far outshine the splendors of earthly dig- " nity. Now your life is hidden with Christ in God. When " Christ shall appear, then shall you also appear with him in " glory. Therefore, seek not your retribution in this transitory " life. If you must stand with reverence before an earthly " prince, think not that this is unworthy your native dignity; for " such is the will of God, that the prince whom he hath created " may possess his entire strength."

Since, then, in the judgment of both these Holy Fathers, it is the sense of the Apostle, that Tribute, custom, fear, honour, are due to princes, both by the command of God, and as a debt of retribution for the benefits which they confer on the State; maintaining order and peace, and performing other good offices to their subjects; since, in the present constitution of human things, due honour must necessarily be given to the higher powers; and since an oath of allegiance does not found any new or unusual obligation, but strengthens, by the sanction of religion, an obligation which previously existed,—it follows, that no one can absolve the subjects of his Britannic Majesty from such an oath, nor dispense with its obligations; therefore, the Prince must ever retain his strength, and the subjects must abide in the same calling in which they are called.

Answer to the Third Question.

So persuaded is the University, that a doctrine which would exempt Catholics from the obligation of keeping faith with Heretics, or any other persons who may dissent from them in matters of religion; instead of being an article of the Catholic faith, is en-

tirely repugnant to its tenets, that she could not have believed it possible there should exist any person who would dare to impute to Catholics any thing so iniquitous, had she not learnt from the things that are written in the Sacred Scriptures for our instruction, that the same Pharisees who had heard our Lord openly deliver this injuction,—"Render to Cæsar the things that are Cæsar's," afterwards laid this crime to his charge. We have found this man perverting our nation, forbidding to give tribute to Cæsar. But the Devil who had put this into their hearts, and moved their tongues to the uttering of such falsehoods as could induce the Jewish multitude, who considered Christ as a prophet, to cry out with a loud voice,—"Crucify him! crucify him!" has never since desisted from perverting others in like manner.

It was alleged everywhere against the Apostles, that they were seditious men, introducers of innovations, and both by their doctrine and conduct, aiming at the subversion of all legal authority. On this account, as St. John Chrysostom observes, the Apostle of the Gentiles treats so often of keeping faith with princes, masters, friends, enemies, just and unjust, and frequently inculcates, that we must give them no cause for offence, but must do them every friendly office; and the same has been perpetually taught by the Catholic Church in her writings, by her words, and her actions.

Still the Father of Lies has persisted in the same attempt. England is not ignorant of the calumnies vented against the Catholics by the Apostate Oates. The assertions likewise are well known which frequently have been maintained with so much industry and art; the art of deceiving and lying, in which he so much excels. He was crafty enough to persuade some persons that a Canon was framed by the Sixth General Council, by which Catholics are freed from any obligation to keep faith with Heretics, or any other persons who may dissent from their religious tenets; and that a similar Canon was published by the Council of Constance, by virtue of which he affirmed,—That faith was not kept with John Huss, and Jerome of Prague.

But the first of these Canons is not of the Sixth General Council, nor is it of any authority; on the contrary, it has been condemned by the Church. As to the Council of Constance, nothing was there defined concerning breach of faith. If we were to determine the Question from the Acts of that Synod, we should be forced to draw a contrary conclusion; for the Fathers of the Council declared, that therefore, they were at liberty to examine the doctrines of John Huss, because they had not granted him a safe conduct.

A safe conduct had indeed been granted him by the Emperor Sigismund, who, nevertheless afterwards ordered him to be burnt; but still without any breach of faith. For he had given him a safe conduct only in the ordinary form; viz. against lawless violence, and

and with this condition annexed to it, that if he fled, he should forfeit his life. Huss fled in violation of his engagement.

To Jerome of Prague a safe conduct was granted by the Council itself, not including any special immunities; not authorizing any daring attempts which he should afterwards make, but upon this condition,—that the course of Justice should not be impeded. He was present in the Council; abjured his heresies; and was exposed to no molestation. But when afterwards, contrary to his promises, he had taken himself to flight, and began to spread abroad amongst the vulgar that he had consented to falsehood in agreeing to the condemnation of Wickliff and John Hus; that he could find no errors in their doctrine; that Wickliff was an Evangelical preacher; and when at length, he obstinately maintained these assertions before the Fathers of the Council, Sigismund judged that such behaviour was not to be tolerated in one who had broken his faith; and surely, what man in his senses would assert, that any one ought to be suffered, with impunity, to utter against God and man, absurdities and blasphemies like the following? 1st. God ought to obey the Devil. 2d. No man is a Civil Ruler, no man is a Prelate, no man is a Bishop, while he is in the state of mortal sin. 3d. The multitude have a right to punish, according to their pleasure, the crimes of their Rulers. 4th. Oaths which are taken to confirm contracts, or civil negotiations, are unlawful. So much for those Canons by which they have endeavoured to spirit up envy and odium against Catholics.

Catholics have been taught by St. James the Apostle that their speech must be Yea, yea; No, no: guided by this wisdom, the Catholic Church has ever reprobated falsehood. But to swear or to promise any thing without actually performing it, is a falsehood. The Catholic Church is not so devoid of judgment, as to have enacted a law, or promulgated a decree which would banish from the Catholic World those excellent virtues, Truth, Fidelity, and Justice, without which there could be no happiness for individuals, no civil societies, nor intercourse among men. What Catholic ever taught that it was lawful to lie, to deceive, or to violate any natural right? Our religion, on the contrary, teaches, That faith must be kept with all men, whatever be their religion, or though they be of no religion, without a single exception, in every promise which of its own nature is lawful and valid, whether in peace or in war, in the concerns of religion, in matrimony, in safe conducts, in civil commerce with friends or with enemies.

These being our sentiments, as may be evinced likewise by what has been said relative to the first and second questions, that the doctrine of the Catholic Church may be clearly and distinctly understood by all the world, we shall only add, that no obligation arising from the laws of nature, of nations, or of men, which is founded in natural reason, has been altered or weakened by our Redeemer; but that every such obligation has been rather heightened and exalted to greater perfection; has been strengthened by

his doctrine and example, and by the addition of other moral precepts and councils, that the order of nature might be preserved in all human things, and that his grace might assist man to discharge their natural duties. This is the excellent philosophy which he brought from Heaven, and introduced into the world, that he might form men to be useful and beneficial one to another, and obedient to the commands of the Divine Being.

These are the unanimous Decisions of this University, after a mature deliberation, in a full assembly of the Doctors, the seventeenth day of March, in the year of our Lord 1789.

A Decision concerning the Three underwritten Propositions laid before the University of Valladolid, in the Kingdom of Spain, by the English Catholics.

1st. Has the Roman Pontiff, or the Cardinals of the Holy Roman Church, or any Council, or any individual of the Catholic Church, by virtue of their communion with that Church, any civil authority, civil power, jurisdiction, or pre-eminence in the Kingdom of Great Britain?

2d. Can the Roman Pontiff, the Cardinals of the Holy Roman Church, or any Council or individual of the Catholic Church, absolve the subjects of his Britannic Majesty from their oath of allegiance, or dispense with its obligations?

3d. Among the Articles of the Catholic Faith, is there any which teaches, That Catholics are not bound to keep faith with Heretics, or any other persons who dissent from them in matters of religion?

Answer to the First Question.

The University of Valladolid, in the Roman Pontiff, in the Cardinals of the Holy Roman Church, in any Council, even in a General Council legally assembled, much less in any individual, acknowledges no civil authority, civil power, jurisdiction, or pre-eminence, by virtue of their Communion with that Church, neither directly nor indirectly, in the kingdom of Great Britain, nor in other kingdoms or provinces, whether Catholic or not, over which they possess no temporal dominion, in consequence of any Spiritual Power granted by Christ our Lord, either to the Universal Church or to its head, or to its members, however exalted in dignity and rank.

Answer to the Second Question.

Neither the Roman Pontiff, nor the Cardinals of the Holy Roman Church, nor any Council, not even a General Council lawfully assembled, nor any individual of the Catholic Church, can any way absolve the Subjects of the King of Great Britain, or any other persons, whether Catholics or not, over whom they hold no temporal dominion, from their oath of allegiance, nor dispense with its obligations.

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This is the unanimous determination of the University of Valladolid respecting the first and second proposition: a Determination founded on a variety of arguments drawn from the Sacred Writings and ancient monuments, and not only the University of Valladolid, but all the Universities in the Spanish dominions are even commanded by Royal Authority to maintain this doctrine. For the Professors of the Spanish Universities, in order to qualify themselves for any Academical Degree, or for obtaining any Professor's Chair, are obliged to take the following oath before the Supreme Council of the State:—"I, *N.* call God to witness, and "swear by the Cross which I now touch, that I will never directly nor indirectly promote, defend, or teach any opinions contrary to civil authority and the King's *Regalia.*" Moreover, neither can the Rector, the Chancellor (who is a Bishop of this city and diocese) the Deputies nor Counsellors, be on any pretext admitted to perform their respective offices till they have taken a solemn oath, binding them to the observance of the aforesaid academical law.

Answer to the Third Question.

Among the Articles of the Catholic Faith, there is none which teaches, that Catholics may lawfully break their faith with heretics, or any other persons whatever, who dissent from them in matters of religion. The obligation of keeping faith is grounded on the natural law, which binds all men equally, without regard to their religious opinions; and with respect to Catholics it has still greater force, being confirmed by the precepts of the Catholic religion.

This is the decision of the University of Valladolid, signed by all and each of the Professors on the 17th day of February, in the year of our Lord 1789.

A Determination relating to the Concerns of the English Catholics, which, being consulted by his Majesty, the University of Salamanca offers and presents to the most puissant Charles the Fourth, King of Spain.

CONSULTATION.

The Catholics of England being desirous to enjoy the privileges, and to be admitted to discharge those offices in the state to which every member of a commonwealth possesses a kind of inherent right, and from which they will ever be excluded, unless they make a public declaration that they will never be induced to withdraw themselves from their allegiance to the civil and established power and jurisdiction of the Kings of Great Britain by any motives coloured over by a pretended regard for the interests of religion, by any pretext, or any dispensation,—convene the University of Salamanca by the favour and under the patronage

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of his most puissant Majesty our Sovereign Lord Charles the Fourth, King of Spain, that they may learn our sentiments, and obtain our decision with respect to certain questions which they will propose to us; therefore, all the Doctors and Professors being in Council assembled, as is customary for the discussion of any important matters; and the questions having been for some time weighed and considered, Six Members of the University, chosen out of the Faculties of Divinity and Canon Law, were appointed to draw up the Answers: and they, with minds wholly divested of prejudices, as far as is compatible with the condition of human beings, consulting together in private, framed distinct Answers to each question; which answers were afterwards approved and confirmed by the suffrages of the rest of their fellow-Members in another full Assembly.

Question the First.

Has the Roman Pontiff, or the Cardinals of the Holy Roman Church, or any Council, or any individual of the Catholic Church, in consequence of their communion with that Church, any civil authority, civil power, jurisdiction or preminence in the kingdom of Great Britain?

Answer.

In order to resolve this Question in a clear and methodical manner, we must have recourse to first principles, and enquire what kind of power has been delegated by Christ to the Church; since the Christian Republic cannot possess by native and original right, any thing beyond that which was granted to it by our Redeemer and its Founder, Christ Jesus. In what manner then did our Saviour express himself when he spoke of kingdoms, and of the power and jurisdiction of his Church? that he might silence the Jews, who were perpetually calumniating him, as one who set himself up for King, in opposition to Cæsar, he answered Pilate, "My kingdom is not of this world, otherwise my servants would certainly strive that I should not be delivered up to the Jews; but now my kingdom is not from hence." Now, the same power, and no other, was given by Christ to Peter, to his successors the Bishops of Rome, and to the Universal Church, which to himself, as man, had been given by his Father. "As the living Father," saith he, "hath sent me, I also send you." But he invariably denies that he had received any temporal power, by declaring that his kingdom is not of this world; by betaking himself to flight when some persons had conceived a design of making him King; by replying to one who said to him,—"Master, speak to my brother, that he divide the inheritance with me"—"Who hath made me a Judge or a Divider over you?" And, in fine, by decreeing that tribute should be paid to Cæsar, though at that time it was an unquestionable truth that the Romans were tyrants and most cruel oppressors of him, of all the Jews, and of the whole country of Palestine. If ever he had taken occasion to mention any temporal

poral power as belonging to himself, it would have been when he foretold that the time would come in which Princes would abuse their authority, by persecuting the Divine Messengers of Salvation, by inflicting on them the most excruciating tortures; and by opposing with all their power the propagation of his religion. Whereas, even then, so far was he from giving them any authority to stir up wars, and to defend his religion by hostile measures, that he frequently inculcated to them, that they must behave like sheep among wolves; that, like simple doves, they must contend only by their sighs, their patience, and their meekness. This is the character of the Christian Religion; these are its lovely features, which, if men were but to view them with unprejudiced minds, could not fail to make it the object of their adoration and fondest affection. Certainly, he who came not to be ministered unto, but to minister, and to save that which was lost; he who neither dispossessed Octavian nor Tiberius of their empire, nor Herod of the sovereignty of Judea, nor Pilate of the Prætorium, wished earnestly to impress on the minds of all who desire to walk in his footsteps, and to whom is committed the government of the Church, and the care of souls, this admonition, That they should by no means interfere with the concerns of the earth; and that his Disciples should not think it justifiable in them, or that it ever would be allowed them, to exercise an authority which their master formally disclaimed, and always refused to exercise; for "the Disciple is not above his master, nor the servant greater than his lord." It is, moreover, most certain and indisputable, that these examples and precepts apply with equal force to the infant days of the Christian Church, to the subsequent ages of persecutions, and to the period after peace was restored to it, and it arrived to the attainment of great strength and riches; unless it be admitted that we are to degenerate from the sentiments of those true followers of Christ in the first ages, who with incredible fidelity continued to hold allegiance to Nero, Trajan, Dioclesian, and other most inhuman Emperors, who harrassed the Christian Republic with insatiable cruelty. As early as the second century, if credit can be given to Tertullian in his Apology, the Christians abounded in every quarter of the Roman empire; they filled the cities, the fortresses, the islands, the very camps, the Palace, the Senate, the Forum, and had left to the Pagans the exclusive possession of only their idolatrous temples; and nevertheless, we nowhere find that, in the cause of religion, they ever endeavoured to throw off the yoke of their allegiance to any of the Emperors. These are facts which no rational man can call in question; but if they were even fictious, it surely cannot be said that Christ had enjoined us to meekness, patience, and forbearance, as only suitable to a state of imbecility and impotence; but had commanded us on the increase of our strength no longer to practise submission, but fiercely to resist the civil powers, and to dethrone, or imprison, or reduce to the condition of private citizens those very Princes who are constituted by the Lord, and to whom we are bound to be subject and obedient, not only for wrath, but also for conscience sake. It were impious

impious to assert that the Apostles, and Christ himself, in giving us such forcible precepts and striking examples of obedience and patience, only yielded to the exigencies and circumstances of the times, but did not establish a fixed and permanent law, which in all the course and fluctuation of future ages should never be annulled. Therefore, since the rights of the Kings of England, whether they persecute or tolerate the Catholics, are founded on the same principles with those of all other Sovereign Princes under Heaven, we are firmly of opinion, That neither the Roman Pontiff, nor the Cardinals of the Holy Roman Church, nor any Council, nor any individual in the Catholic Church, by virtue of their communion with that Church, has any civil authority, power, jurisdiction, or pre-eminence in the kingdom of Great Britain.

Question the Second.

Can the Roman Pontiff, the Cardinals of the Holy Roman Church, any Council or individual of the Catholic Church, absolve the subjects of his Britannic Majesty from their oath of allegiance, or dispense with its obligations?

The solution of this second difficulty spontaneously arises from the principles laid down in the foregoing answer.—We have no inclination to spend our time here in exposing the emptiness of the visions (rather than reasons) of some persons, who have asserted, That by the coming of Christ all earthly thrones were subverted; and that after the Establishment of the Papal Dignity, both the temporal and spiritual sword was put into the hands of the Bishop of Rome; that all Kings are only his vicegerents, and that their dominion is so completely transferred to him, that he can of right depose even idolatrous princes, and confer their domains on any of the faithful at his pleasure. This absurdity, which we cannot think on without the utmost astonishment, has been defended by a very few individuals; but by the body of Divines and Canonists it is universally exploded, and completely refuted. It is certain, that Christ never possessed, neither by inheritance nor by delegated power from God, nor by any other means, any temporal dignity which he could transmit to Peter, to his successors, and to the other Bishops: and from the idea that he bequeathed such dignity, this monstrous consequence would follow:—That the Pope is, by Divine Right, Supreme Lord over all the earth; that Bishops are the Princes of their cities and districts; that Kings are not really Kings; that they are not illustrated by nature and inherent majesty, but a precarious adventitious dignity, derived to them from the Christian Prelates.

We cannot, however, think of dissembling, by passing over in silence a fact, to which several publications now extant, and the Annals of the Church bear testimony, viz. That some Christian Divines and Canonists have persuaded themselves that all temporal concerns were subordinate to the spiritual, and were to be referred

ferred to them, as to their ultimate end; that he who has power over the end, must have power over the means also, and a right to command whatever is conducive to the end, and to remove whatever may oppose its attainment; that consequently, on account of Apostacy, Heresy, or any grievous crime which brings mischief on the Church, or is detrimental to the salvation of the faithful, Kings might be cut off from the communion of Christians; and that, this being done, they were so divested of all power and dignity, that no one could conscientiously have with them any sort of intercourse.

But Heaven forbid that any Christian people should imbibe an opinion so fatal to kingly government: far be it from them to embrace an opinion unknown to all antiquity, for which there is not any solid foundation in the Sacred Writings, and which at all times, and in every country where it has been suffered to prevail, has been the execrable parent of wars and civil discords. If such an arrangement had been suitable and useful to the Church which Christ came to establish on earth, without doubt he would have settled a matter of such moment with particular attention; and the very novelty of a doctrine in religious concerns, is ever a certain argument of its falsehood. The votaries to this opinion have no other principles on which to rest their cause, but either certain allegories, which though they may confirm a doctrine already established, of themselves can afford no evidence of truth, or distorted passages of Scripture, or far-fetched inferences, or facts and precedents, which it were to be wished the Christian Church had never heard, of as they are all in direct opposition to other facts and precedents of high antiquity. From the eleventh century to the present, the Bishops of Rome have sometimes endeavoured to anathematize kingdoms, and to depose princes from their sovereign dominion; but vain have been their efforts in almost every instance: perhaps, by the particular disposition of the Divine Providence, that experience itself might convince mankind that the Christian Republic is not to be defended by a military force; and the sheep of Christ are not to be fed in pastures, obtained for them by wars and civil contests; are not to be composed into order by the clangor of arms; but by counsels, exhortations, the preaching of the Divine Word, and other such means recommended by our Lord to the Pastors of the Church. That Kings, as well as the faithful of inferior rank, are so far subject to the power of Bishops, that by them they may be separated from the communion of the Church, and delivered to Satan if their crimes provoke such severity, is a truth which must not be called in question, although it would perhaps be more expedient and more discreet never to apply such desperate remedies to the wounds of those who are invested with sovereign power. But princes, even when thus excommunicated, possess the same authority, the same right to govern as when they participated the Sacred Rites; and their subjects are

bound to pay them equal homage, submission, and obedience, unless their orders be evidently unjust; or unless they insist that their subjects shall join them in the guilt, for which they are deprived of ecclesiastical communion; for in that case we must never lose sight of the Divine admonition, "God is to be obeyed rather than man." This is the system established by Christ Jesus, and confirmed by the writings and examples of our forefathers. They are indeed deluded who picture to themselves any form of a Christian Republic which differs in the least degree from that which has been framed by our great Law-giver; and he must be little conversant in Sacred Literature and Ecclesiastical History, who is yet to be informed that the Church of Christ will ever be tossed about among rocks and shelves; that it is necessary that heresies should exist in it; that it has ever flourished amidst clouds and storms,—never enjoyed a complete tranquillity and peace,—nor will enjoy it till settled in the Heavenly Paradise.

That the Christian Republic would not be perfect nor independent in its operations, unless all temporal rights were subordinate to the spiritual, and unless excommunicated princes were deposed and their subjects absolved from their allegiance,—is a pretence which receives no countenance either from the Gospel or from the ancient practice of the Christian Church. In its very origin, Peter making no mention of a doctrine of such weighty consequence as that would be, commands the faithful to pay obedience and reverence to Kings and Governors: and Paul will have every soul "be subject to the higher powers;" and declares, That he who resists the power, resists the ordinance of God: and Christians in the succeeding ages endured hunger, thirst, exile, and every extreme calamity, rather than depart from their allegiance to Julian, Constantius, Valens, and other Roman Emperors, who were Heretics, and protectors of Heresy. But some Divines and Canonists, having their minds filled with magnificent ideas, from beholding the present pomp, riches, and power of the Church, have forgotten its former state of subjection, poverty, obedience, and misery. Therefore, the Republic of Christ is perfect and completely independent; not because it can remove every obstacle to the salvation of men, for it cannot soften obdurate sinners to repentance, nor entirely take away the occasions of sin, nor avoid heresies and schisms, nor a variety of other things which are detrimental to its subjects; but it is independent and perfect, because it has received power from God to conduct men to eternal life, and likewise the means for accomplishing its object: but then these means are of the same nature and kind with the end proposed, viz, spiritual, not temporal means; which we are decidedly of opinion, our Redeemer never thought of employing. Seeing, therefore, that the oath of allegiance, which binds subjects to their princes, refers to temporal rights, and may be, and frequently is, imposed equally on believers and unbelievers; and since the Popes when they have granted to any subjects a dispensation

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from it, have always aimed at depriving them of their dominion, which, as we have demonstrated, cannot be done without a violation of civil and natural right,—we, without any hesitation, declare, That neither the Roman Pontiff, nor the Cardinals of the Holy Roman Church, nor any Council, nor individual of the Catholic Church, can absolve the subjects of his Britannic Majesty from their oath of allegiance, or dispense with its obligations.

Question the Third.

Among the Articles of the Catholic Faith, is there any which teaches that Catholics are not bound to keep faith with Heretics, or persons of any other description, who dissent from them in matters of religion?

Answer.

So far are we from admitting, as an article of our religious creed, any tenet which authorizes breach of faith with persons of a different persuasion, that we know we are frequently admonished by St. Paul, as much as is possible, to have peace and charity with all men. The natural rights of men were not intended to be abridged by the law and doctrine of Christ; but to be confirmed and illustrated. Now, nothing is more clearly engraven on the minds of men by the law of nature than this principle, That all men, however discordant their religious tenets, are, to every intent and purpose, in a state of equality with respect to negotiations, alliances, and compacts. The Spaniards, who in points of zeal for the defence and support of the Catholic Faith will yield to no nation under Heaven, have entered into contracts relating both to commerce and to the establishment of peace with the English themselves, and with other Calvinist and Lutheran States; and it would be an atrocious injury and a vile calumny to assert, that such contracts have at any time been violated under pretence of religion. Moreover, our late most religious Prince Charles the Third, of blessed memory, whose death can never be sufficiently lamented, made treaties of peace and perpetual alliances, not only with Heretics, but with the Africans and with the Turks themselves, who with wild fanaticism venerate the dreams and ravings of Mahomet as revelations from Heaven, as soon as he found them disposed to lay aside or at least to soften their innate ferocity and inveterate hatred of the Christian name. That wise Prince, the loving Father of his People and strenuous defender of the Church of Christ, did not act thus in consequence of any recent institution, not in conformity to the temper of this age,—but moved by the ancient spirit of genuine piety, and the very nature and genius of the Christian Religion. Because we are Catholics, it is not necessary that we should be acted by a persecuting

cuting spirit against those who are adverse to our religion? meekness and charity are its great characteristics; and the example left us by our forefathers, recommend us to a contrary conduct: for it is an incontestible fact, that many most holy Bishops in ancient times sold the sacred vessels and ornaments of the Church, that they might redeem men of all denominations, whether Pagans or Christians, from captivity and slavery; so far were those venerable men from teaching that faith was not to be kept by them in compacts and other civil negociations.

A distinction must always be made between the civil and the religious toleration of Heretics: a distinction which is frequently not attended by some ignorant revilers of the Catholic Church. Undoubtedly, those who, grounded on certain and immoveable principles, are persuaded that theirs is the only true Church of Christ; that the doctrines defined by their pastors are so infallibly certain, that they are bound, when circumstances require it, to spill their blood in their defence; that every man who obstinately rejects one article, loses his faith, and becomes guilty of all,—can never hold ecclesiastical communion nor religious concord with men of any other sort or persuasion. But it is far otherwise with respect to communion with Heretics and other enemies of the Catholic Faith in *Civil Transactions*; for, if we except the first natural duties by which every man is bound to his fellow man,—in other matters we are at liberty either to unite with them or separate from them, as shall appear most conducive to our own interests. In Spain, indeed, for these three hundred years past, no one is permitted to hold any military office, nor to enjoy a perpetual settlement, who is considered as an avowed enemy to the Catholic Church; because our princes have thought it more eligible to forego certain advantages which might, perhaps, be derived from commercial intercourse with men of different persuasions, or from their improvements in the arts, than either to endanger the faith of their subjects, or expose their empire to frequent broils and contentions about the doctrines of religion. But it never was the doctrine of the Catholic Church, nor was it ever by us believed to be her doctrine, that faith is not to be kept with the enemies of the Church, whatever may be their denomination. Therefore, among the Articles of the Catholic Faith, there is none which teaches that Catholics are not bound to keep faith with Heretics, or with persons of any other description, who dissent from them in matters of religion.

Given in the University of Salamanca, in the year of our Lord One thousand Seven hundred and Eighty-nine.

Signed, in the name of the whole University, by the Rector and the Six deputed Members.

THE END.